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New York

President: Mr. Ping ..... (Gabon)

The meeting was called to order at 9.40 a.m.

Tribute to the memory of His Excellency Sheikh Zayed bin Sultan Al-Nahyan, President of the United Arab Emirates

The President (*spoke in French*): Before beginning the discussion of the agenda item before us, it our sad duty to pay tribute to the memory of the late President of the United Arab Emirates, Sheikh Zayed bin Sultan Al-Nahyan, who passed away Tuesday, 2 November 2004.

On behalf of the General Assembly, I request the representative of the United Arab Emirates to convey our condolences to the Government and the people of the United Arab Emirates and to the bereaved family of His Highness Sheikh Zayed bin Sultan Al-Nahyan. I invite representatives to stand and observe a minute of silence in tribute to the memory of Sheikh Zayed bin Sultan Al-Nahyan.

The members of the General Assembly observed a minute of silent prayer and meditation.

Mr. Grey-Johnson (Gambia): I am speaking on behalf of the Group of African States. It is with a deep sense of sorrow and loss that we have learned of the passing away of Sheikh Zayed bin Sultan Al-Nahyan, President of the United Arab Emirates, at the age of 86 years.

Sheikh Zayed bin Sultan Al-Nahyan goes down in history as the man who, in a short period of less than 40 years, transformed an underdeveloped group of small islands in the Persian Gulf into a highly developed modern nation. When he became the head of the Emirate of Abu Dhabi in 1966, the State of the United Arab Emirates was nothing but a collection of seven sheikhdoms. Very quickly, he crafted them all into a strong federation and forged a unified nation, which he then led and served with dedication, steadfastness and vision. He used his country's oil wealth to enrich his people, to educate and enlighten the populace and to transform the United Arab Emirates into a leading international financial and business centre. His statesmanship also made it possible, even unavoidable, for the United Arab Emirates to assume prominent leadership positions, not only in the Arab and Islamic worlds, but also internationally and within the United Nations. He opened up his country to all peace-loving individuals regardless of nationality, as long as they had a contribution to make to the development of his people. He is known for his modesty and simplicity and the ease with which he mixed freely with his subjects.

Perhaps the international system can take a leaf from this great leader's life of service to his people and to humanity at large when we consider issues of governance, international cooperation, human security and development and the empowerment of the poor and the dispossessed. We extend our heartfelt condolences to the Government and the people of the United Arab Emirates, and may his soul rest in peace.

Mr. Jenie (Indonesia): I stand here in deep humility today as the chairman of the Group of Asian

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States for the month of November to pay tribute to the memory of His Highness Sheikh Zayed bin Sultan Al-Nahyan, the President of the United Arab Emirates, who departed this world two days ago.

Sheikh Zayed bin Sultan Al-Nahyan was nearly 90 years old when he passed on, and he had dutifully presided over his nation for over 30 years. Despite his age, he remained an energetic man, tirelessly pursuing the causes of Arab unity, tolerance and reconciliation. For that, he was a respected figure in the international community, particularly among Arab leaders.

Regarding his governing methods in his country, Sheikh Zayed bin Sultan Al-Nahyan once expressed the following great insight:

> "I am not imposing unity on anyone. That is tyranny. All of us have our opinions, and these opinions can change. Sometimes we put all opinions together and then extract from them a single point of view. This is our democracy."

It is this kind of wisdom that made him a remarkable leader and for which he will never be forgotten. It is also this kind of wisdom that guided him in office. Through his wise and judicious use of the nation's generous oil resources, he transformed the United Arab Emirates into the beautiful and flourishing desert country that it is today and enhanced the welfare of his people. It is through this achievement that Sheikh Zayed bin Sultan Al-Nahyan won the eternal love and admiration of his people for over three decades, and for which he will always be remembered. On behalf of the group of Asian States, I pay tribute to this great and unforgettable Arab son and express condolences to his family and to the Government and people of the United Arab Emirates. May the soul of Sheikh Zayed bin Sultan Al-Nahyan rest in peace.

Mr. Dapkiunas (Belarus): It is with deep sadness that the Member State of the Eastern European Group of States learned about the passing of His Highness Sheikh Zayed bin Sultan Al Nahyan, President of the United Arab Emirates and ruler of Abu Dhabi.

We all pay tribute to His Highness Sheikh Zayed bin Sultan Al Nahyan's tireless and wise leadership of the United Arab Emirates since its formation in 1971. His wisdom and energy lead the people of the United Arab Emirates to prosperity and well-being. Having dedicated his life to the unification and strengthening of his country, His Highness Sheikh Zayed bin Sultan Al Nahyan has made it one of the wealthiest and the most prosperous States in the region. Today, the United Arab Emirates is a leading member of the Organization of Petroleum Exporting Countries and a regional centre for banking and finance.

His Highness Sheikh Zayed bin Sultan Al Nahyan's contribution to peace and security in the region and the entire world cannot be overestimated. His attitude toward his country's neighbours, based on trust and respect, has been a crucial factor in bringing the countries of the region closer to each other. Today, the League of Arab States is an influential international organization that plays an important role in strengthening international security and stability. Its friendly and fruitful relations with the United Nations must, to a large extent, be attributed to the efforts of His Highness Sheikh Zayed bin Sultan Al Nahyan.

As a distinguished statesman, talented politician and diplomat, loving father, and a man of vision who looked far into the future, His Highness Sheikh Zayed bin Sultan Al Nahyan rightfully enjoyed the profound respect of the people of his country and the whole world.

The member countries of the Group of Eastern European States convey their deep condolences to the family of the late President and to the Government and people of the United Arab Emirates.

Mr. Sevilla Somoza (Nicaragua) (*spoke in Spanish*): I am honoured to take the floor on behalf of the Group of Latin American and Caribbean States to convey our most heartfelt condolences to the people and Government of the United Arab Emirates upon the much lamented death of their President, His Highness Sheikh Zayed bin Sultan Al Nahyan, ruler of the Emirate of Abu Dhabi for 25 years and President of the United Arab Emirates for 33 years.

Sheikh Zayed transformed his country, guided by his great faith and a philosophy that stated that it was the duty of every person to seek to improve the lives of his people. His life's work remains as a living tribute to his devotion and unswerving conviction. The United Arab Emirates have lost a great man of vision and great impact — that impact can be seen in the basic infrastructure, as well as in great projects devoted to the environment, education and the development of the oil industry, whereby he turned the desert into an oasis. Over time, Sheikh Zayed won the recognition in his region as a great statesman, and his international

experience strengthened his administration. He will be missed and will be remembered particularly as a great man who was able to translate his dreams into reality for the benefit of his people.

We share the sorrow of the royal family at this time of mourning and sadness and, particularly, we extend to the people and Government of the United Arab Emirates our full solidarity and send them comfort in the hope that they can recover the strength to live.

Mr. McIvor (New Zealand): On behalf of Group of Western European and other States, I have the honour to speak in tribute to His Highness Sheikh Zayed bin Sultan Al Nahyan, President of the United Arab Emirates and ruler of Abu Dhabi, who sadly passed away on 2 November. Sheikh Zayed was a strong and visionary leader of his people and a unifying force in the region. He played a central role in the formation of the United Arab Emirates in 1971 and was elected President of the new federation. With subsequent re-elections, he continued to rule the United Arab Emirates for over 30 years — a period when the country prospered under his able leadership. During that time, Sheikh Zayed played a major role in the formation of the Gulf Cooperation Council, which was officially established in 1981. That was one of his most lasting and admired achievements. On this sad occasion, I wish to convey the most sincere condolences of the members of the Group of Western European and other States to the Government and people of the United Arab Emirates and Abu Dhabi, and to the family, friends and colleagues of Sheikh Zayed.

Mr. Ghafari (United States of America): On behalf of the United States, I extend my deepest condolences to the Government and people of the United Arab Emirates upon the passing of the founder of their country, Sheikh Zayed bin Sultan Al Nahyan. Sheikh Zayed lead his nation with exemplary leadership and tolerance. He avidly pursued development and modernization. His leadership and vision united seven independent emirates into one nation. His cherished friendship with the United States will not be forgotten and will certainly be missed. Sheikh Zayed will be remembered for his wise direction, humanitarian leadership and tolerance.

The essence of Sheikh Zayed's philosophy, derived from his deeply held Moslem faith, was that it is the duty of man to improve the life of his fellow men. His record of leadership within the Emirates and the international community demonstrated the dedication and seriousness with which he sought to put that belief into practice. We appreciate this opportunity to honour a man whose contribution to his country and intimate involvement in our Organization will be missed by all. We send our deepest sympathies to Sheikh Zayed's family members.

Mr. Al-Shamsi (United Arab Emirates) (*spoke in Arabic*): I am taking the floor before the General Assembly to thank it for this special tribute to the head of State of the United Arab Emirates, His Highness Sheikh Zayed bin Sultan Al-Nahyan, our dear brother. He has returned to God, who called him back on the 19th day of Ramadan, that is 2 November 2004. I would like to thank the Secretary-General, Mr. Kofi Annan, his team and all the high officials of the international community, the representatives of regional groups and of Permanent Missions and State leaders for their condolences and for the moving expressions of sympathy that they have addressed regarding our late, lamented leader. Those tributes have been marked by a generosity of spirit, paying tribute to his wisdom his generosity, his accomplishments and good deeds and his effectiveness in the service of concord, peace and harmony among peoples, for which he remains a symbol and a testament — not only for his people and his country, but also for the international community and for the region to which we belong. At this sad time I find it hard to find words that will enable me to convey to you with proper eloquence the loss that we feel in the Emirates and throughout the Arab and Muslim world, resulting from the passing of this dear leader who always strove to respect the principles of our Islamic religion and his heritage. Over more than 45 years, he worked and gave tirelessly to promote the good of his people. Despite the extremely difficult circumstances under which he struggled, he was able to leave behind him a precious and unique legacy of unity, solidarity, tolerance and justice, as well as human development and scientific and technological progress. He was a great humanitarian and he will be remembered for that by posterity. His wisdom and his penetrating judgement was employed in the service and unity of his country and his people, but, above and beyond that, he demonstrated a diplomatic wisdom, skill and generous assistance that transcended our borders and served the cause of peace, development and dignity in all corners

of the world. He never hesitated to devote his efforts tirelessly to strengthening brotherly relations and relationships of friendship and mutual respect among all peoples of the world. He was unstinting in his assistance and support of the causes of peoples and nations. He oversaw the resolution of economic and political crises, as well as humanitarian crises caused by natural disasters. He won the friendship of nations, which esteem him greatly for his balanced and measured policies. Today, we all accept the decision of God, who has called back our much-lamented, inspiring, courageous leader to his side. His stature is truly international and far exceeds our national borders. He strove to assure peace and security and his skills and qualities are famous, not only within our borders, but also at the international level and especially in our region.

The Sultan has left behind his son as the new ruler, who came into office yesterday pursuant to the Constitution. He will be receiving the support of the people. I thank the heads of State and Government for their condolences. Our country will continue to pursue its balanced policy with full respect for our international commitments and our legal obligations under the Charter of the United Nations and the principles of international law.

The memory of our late, lamented leader, Sheikh Zayed bin Sultan Al-Nahyan, will be an unquenchable source of inspiration because of his work to promote peace and to build a more humane world. We trust in God and may the peace of God be with you all.

Agenda item 13

Report of the International Court of Justice

Report of the International Court of Justice (A/59/4)

Report by the Secretary-General (A/59/372)

The President (*spoke in French*): May I take it that the Assembly takes note of the report of the International Court of Justice?

It was so decided.

The President (*spoke in French*): In connection with this item, the Assembly also has before it a report of the Secretary-General on the Secretary-General's Trust Fund to Assist States in the Settlement of Disputes through the International Court of Justice, which has been circulated in document A/59/372.

I call on Mr. Shi Jiuyong, President of the International Court of Justice.

Mr. Shi Jiuyong (International Court of Justice): It is a great privilege and an honour for me, in my capacity as President of the International Court of Justice, to address the General Assembly of the United Nations on the occasion of its examination of the report of the Court for the period from 1 August 2003 to 31 July 2004.

For more than a decade now, the Assembly has invited the President of the International Court of Justice to present an annual review of the Court's activities and achievements. Before I summarize the events of the preceding year, I should like to express my gratitude for this opportunity, which I believe demonstrates the Assembly's ongoing interest in and support for the Court in its role as the principal judicial organ of the United Nations.

It is also a particular pleasure to address you today under the distinguished presidency of Mr. Jean Ping, Minister of State, Minister for Foreign Affairs, Cooperation and la Francophonie of Gabon, and the tenth African President of the Assembly. I congratulate him on his election to the presidency of the General Assembly at its fifty-ninth session and applaud the commitment made by him and his country to the United Nations mission to build a more caring world in which future generations are freed from the ravages of war and underdevelopment. I should like to wish him all success in office and in particular with his initiative to pursue broadened consultations with the international community aimed at revitalizing and reforming the Organization.

The Court has transmitted its annual report to the Assembly, along with an introductory summary. As the report is somewhat lengthy, I trust that the following résumé will provide a useful overview of its essential elements.

As I reported last year, 191 States are parties to the Statute of the Court, and more than 65 of them have accepted the compulsory jurisdiction of the Court in accordance with article 36, paragraph 2, of the Statute. In addition, approximately 300 treaties make reference to the Court with respect to the settlement of disputes arising from their application or interpretation.

Since I addressed the Assembly in October 2003, the Court has held five sets of oral hearings relating to no fewer than 12 cases, with the hearings in all eight cases concerning the legality of the use of force having been held simultaneously. In addition, the Court has rendered final judgments in three cases and has delivered one advisory opinion. That level of activity is unprecedented in the history of the Court, and, as a result of such efforts, the number of cases on the Court's docket were reduced from 25 a year ago to 20 at the end of the review period. Today, there are in fact 21 cases on the General List, following the institution of proceedings by Romania against Ukraine on 16 September 2004. Given that in the 1970s the Court had very few cases on its docket, and that from 1990 to 1997 it had between nine and 13, the current number of cases represents a substantial workload.

The contentious cases pending before the Court originate from all over the world: there are 11 between European States, four between African States, two between Latin American States and one between Asian States. In addition, there are two cases of an intercontinental nature. The Court's international character is also reflected in its composition. It currently has the benefit of members from Brazil, China, Egypt, France, Germany, Japan, Jordan, Madagascar, the Netherlands, the Russian Federation, Sierra Leone, Slovakia, the United Kingdom, the United States of America and Venezuela.

The cases included on the docket over the past year illustrate the variety of international disputes that are customarily referred to the Court. The Court is accustomed to handling territorial disputes between neighbouring States that are seeking the determination of their land and maritime boundaries or a decision with respect to sovereignty over particular areas. Currently, there are four such cases on the General List, concerning, respectively, Nicaragua and Honduras, Nicaragua and Colombia, Benin and Niger, and Malaysia and Singapore.

States also regularly submit disputes to the Court concerning the treatment of their nationals by other States. That is the position in the extant cases between Guinea and the Democratic Republic of the Congo and between the Republic of the Congo and France, and also in the recently decided case concerning Avena and other Mexican nationals.

Another category of cases that is frequently referred to the Court concerns the use of force. Such proceedings often relate to events that have been brought before the General Assembly or the Security Council. At the moment, the Court is seized of two cases in which Bosnia and Herzegovina and Croatia, respectively, have sought the condemnation of Serbia and Montenegro for violations of the 1948 United Nations Convention on the Prevention and Punishment of the Crime of Genocide. The Court is also dealing with the cases on the legality of the use of force that are being pursued by Serbia and Montenegro against eight member States of NATO. In those eight cases, Serbia and Montenegro is challenging the legality of the military action of NATO member States in Kosovo. Finally, the Court is dealing with two cases against Uganda and Rwanda in which the Democratic Republic of the Congo contends that it has been the victim of armed aggression.

As I mentioned earlier, in the course of the period under review, the Court rendered a judgment on the merits in three cases and delivered one advisory opinion. I shall now deal with those decisions in chronological order.

On 6 November 2003, the Court handed down its judgment in the case concerning oil platforms, *Islamic Republic of Iran v. United States of America*. By way of background, in November 1992, the Islamic Republic of Iran instituted proceedings against the United States of America arising from the attacks on and destruction of three Iranian offshore oil production platforms by warships of the United States Navy in October 1987 and April 1988. In its application, the Islamic Republic of Iran contended that those acts constituted a "fundamental breach" of certain provisions of the 1955 Treaty of Amity, Economic Relations and Consular Rights between the United States and the Islamic Republic of Iran, and that they also constituted a violation of international law. The Islamic Republic of Iran sought reparation for the damage caused to its oil platforms.

The United States disputed the claim of the Islamic Republic of Iran and counterclaimed that the Islamic Republic of Iran had violated the 1955 Treaty by attacking vessels in the Gulf and by otherwise engaging in military actions that were dangerous and detrimental to commerce and navigation between the two countries. The United States also sought reparation for any injury suffered.

In its judgment on the merits, the Court — having carried out a detailed examination of the evidence provided by the parties — held, first, that the actions of the United States against the Iranian oil platforms could not be justified as measures necessary to protect the essential security interests of the United States, as envisaged in article XX, paragraph 1 (d), of the 1955 Treaty. The Court concluded that recourse to force under that provision was permitted only if a party was acting in self-defence — that is to say, if it had been the victim of an armed attack and if the actions taken were necessary and proportionate.

The Court then examined the issue of whether the United States, in destroying the oil platforms, had impeded their normal operation and prevented the Islamic Republic of Iran from enjoying freedom of commerce between the two territories, as guaranteed by article X, paragraph 1, of the Treaty of Amity. The Court found that there was, in fact, no commerce between the Islamic Republic of Iran and the United States in respect of oil produced by those particular platforms at the time of the attacks. Consequently, the Court held that neither the Islamic Republic of Iran's submission nor its claim for reparation could be upheld.

In respect of the counterclaim of the United States concerning the alleged breach by the Islamic Republic of Iran of the obligations under the Treaty of Amity, the Court concluded, on the evidence before it, that there had not been any impediment to commerce and navigation between the territories of the parties. Consequently, the Court held that the submissions and the claim for reparation of the United States should also be rejected.

The second of the judgments on the merits, in the case requesting a revision of the Judgment of 11 September 1992 in *El Salvador v. Honduras* — concerning the land, island and maritime frontier dispute between El Salvador and Honduras, with Nicaragua intervening — was delivered in December 2003. The Chamber of the Court formed to deal with that case found that El Salvador's application for revision of the 1992 Judgment was inadmissible. In its Judgment, the Chamber recalled, first, that under article 61 of the Statute of the Court, a revision could only be requested by a party upon satisfaction of the conditions contemplated by the Statute, namely, that the revision should be "based upon the discovery of [a] fact" which must be "of such a nature as to be a decisive factor", and should have been "unknown to the Court and also to the party claiming revision" when the judgment was given.

One section of the boundary determined by the 1992 Judgment followed the course of a river known as the Goascorán. El Salvador claimed that it was in possession of scientific, technical and historical evidence that showed the previous course of the River Goascorán, and its avulsion in the mid-eighteenth century.

The Chamber, however, held that the 1992 Judgment had been based on El Salvador's conduct during the nineteenth century with regard to the course of the boundary at that time, and not on a determination of the original course of the river, so evidence of avulsion could not have been a decisive factor.

Secondly, El Salvador sought to rely on a newly discovered copy of an eighteenth century map and report, which had been found in the Newberry Library in Chicago and that differed from the copies presented in evidence by Honduras in the original proceedings. However, the Chamber found that the copies produced by El Salvador varied only slightly from the ones used in 1992 and did not constitute a "decisive factor" as required by article 61 of the Statute.

Moving on to the judgments delivered this year: on 31 March 2004 the Court delivered its decision in *Mexico v. United States of America*, a case concerning Avena and other Mexican nationals. Mexico had instituted proceedings against the United States of America regarding alleged breaches of articles 5 and 36 of the Vienna Convention on Consular Relations of 24 April 1963 that arose from the conduct of criminal proceedings against 52 Mexican nationals who had been tried, convicted and sentenced to death in the United States.

The Court's first task was to consider the applicability of paragraph 1 (b) of article 36 of the Vienna Convention, which sets out the obligations of a receiving State in relation to consular notification. Having found that the United States was subject to those obligations, the Court determined the meaning of the expression "without delay" in the context of the performance of the requirements of paragraph 1 (b).

On the basis of that interpretation, the Court held that in 51 of the cases the United States had breached

its obligation to inform a foreign national of his rights to consular notification when "arrested or committed to prison or to custody pending trial or ... detained in any other manner", and in 49 of the cases the United States had failed to notify a Mexican consular post about the detention of Mexican nationals. Then, noting the interrelated nature of the three subparagraphs (a), (b) and (c) of paragraph 1 of article 36 of the Vienna Convention, the Court went on to find that in 49 of the cases the United States had breached its obligation under subparagraph 1 (a) to enable Mexican consular officers to communicate with, have access to and visit their nationals and that in 34 cases the United States had violated its obligation under subparagraph 1 (c) to enable Mexican consular officers to arrange for legal representation of their nationals.

Mexico had also alleged that the United States had violated its obligation under article 36, paragraph 2, of the Vienna Convention by failing to provide meaningful and effective review and reconsideration of convictions and sentences. The Court found that the United States had indeed breached that obligation in 3 cases, but that the possibility of judicial re-examination was still open in the other 49.

The Court held that the review and reconsideration of the convictions and sentences of the Mexican nationals by United States courts would provide adequate reparation for the violations of article 36 of the Vienna Convention. Although the Court recognized that the means of effecting the review and reconsideration were a matter for the United States to decide, it expressed its view that it was the judicial process that was suited to such a task.

Finally, on 9 July this year, in response to a request by the General Assembly, the Court rendered its Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory.

Before addressing the question posed by the General Assembly, the Court considered whether it had jurisdiction to respond to the request and examined the judicial propriety of exercising its jurisdiction in that instance. The Court found, unanimously, that it had jurisdiction to give the advisory opinion and decided, by 14 votes to one, to accede to the request.

Having dealt with those preliminary issues, the Court then addressed the legality of the construction of the wall, as a precursor to dealing with the legal consequences of its construction.

The Court found, by 14 votes to one, that the construction of the wall being built by Israel, the occupying Power, in the occupied Palestinian territory, including in and around East Jerusalem, and its associated regime, are contrary to international law.

With regard to the legal consequences of these violations, the Court distinguished between the consequences for Israel, those for other States and those for the United Nations. Turning firstly to the consequences for Israel, the Court, by 14 votes to one, found that Israel is under an obligation to terminate its breaches of international law, and that it is under an obligation to cease forthwith the work of construction of the wall being built in the occupied Palestinian territory, including in and around East Jerusalem, to dismantle forthwith the structure therein situated, and to repeal or render ineffective forthwith all legislative and regulatory acts relating thereto.

The Court further decided, again by 14 votes to one, that Israel is under an obligation to make reparations for all damage caused by the construction of the wall in the occupied Palestinian territory, including in and around East Jerusalem.

In respect of the consequences for other States, the Court found, by 13 votes to two, that all States are under an obligation not to recognize the illegal situation resulting from the construction of the wall and not to render aid or assistance in maintaining the situation created by such construction and that, in addition, all States parties to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, have the obligation, while respecting the United Nations Charter and international law, to ensure compliance by Israel with international humanitarian law as embodied in that Convention.

Finally, with regard to the United Nations, the Court found, by 14 votes to one, that the United Nations, and especially the General Assembly and the Security Council, should consider what further action is required to bring to an end the illegal situation resulting from the construction of the wall and its associated regime, taking due account of the advisory opinion.

In the preparation of its advisory opinion, the Court examined the international law principles relating to the prohibition of the threat or use of force, and the extant rules governing the acquisition and occupation of territory. It also addressed the principle of self-determination, and considered the applicability of international humanitarian law and human rights law in the occupied Palestinian territory.

As well as reviewing these vital elements of international law, which are enshrined in numerous treaties, including the United Nations Charter, and in customary law, and reflected in various resolutions of the General Assembly, the Court also recognized the need for the construction of the wall to be placed in a more general context. In particular, the Court noted that Israel and Palestine are under an obligation scrupulously to observe the rules of international humanitarian law, and expressed the view that the tragic situation in the region can be brought to an end only through the implementation in good faith of all the relevant Security Council resolutions.

The Court also drew the attention of the General Assembly to the need for efforts to be encouraged with a view to achieving as soon as possible, on the basis of international law, a negotiated solution to the outstanding problems and the establishment of a Palestinian State, existing side by side with Israel and its other neighbours, with peace and security for all in the region.

As well as delivering these judgments and the advisory opinion, the Court has completed the hearings on the preliminary objections of the respondents in the eight "Legality of Use of Force" cases brought by Serbia and Montenegro against States members of NATO. In addition, hearings on the preliminary objections of Germany have recently taken place in the *Certain Property (Liechtenstein v. Germany)* case, which concerns Czechoslovakia's treatment of the property of Liechtenstein nationals as German assets following the Second World War. All nine cases are currently under deliberation.

The achievements of the Court during the review period reflects its commitment to dealing with cases as promptly and efficiently as possible, while maintaining the quality of its judgments and respecting the consensual nature of its jurisdiction.

It is gratifying to note the increased use of the Court by States over recent years, and in order to meet this growing demand and fulfil its judicial responsibilities, the Court has taken further steps in the review period to improve its judicial efficiency. Since I last reported to the Assembly, the Court has undertaken a thorough review of its working methods, and as a result has introduced measures to enhance its internal functioning and encourage greater compliance by parties with previous decisions aimed at accelerating the procedure in contentious proceedings.

With these aims in mind, the Court has recently amended existing Practice Direction V and promulgated new Practice Directions X, XI and XII. Amended Practice Direction V clarifies that the four-month period for the presentation by a party of its observations and submissions on preliminary objections runs from the date of the filing of the preliminary objections. Practice Direction X requests the agents of the parties to attend without delay any meeting called by the President of the Court on a procedural issue. Practice Direction XI provides that in oral pleadings on provisional measures, parties should limit themselves to dealing with matters that are relevant to the criteria for the indication of such provisional measures; it thereby addresses a problem which I noted in my speech to the Assembly last year.

Finally, Practice Direction XII sets out the procedure to be followed with regard to written statements or documents submitted by international non-governmental organizations in connection with advisory proceedings. These additions to the Court's Practice Directions will supplement its efforts to expedite the examination of cases which have been reported to the Assembly in previous years.

I should now like to draw the Assembly's attention to a few matters concerning the budget of the Court for the 2004-2005 biennium. The financial support of the General Assembly is greatly appreciated by the Court, and the Court in turn recognizes its responsibility to apply those funds wisely.

The 2004-2005 biennium was agreed in advance of the General Assembly's urgent request for an advisory opinion on the legal consequences of the construction of a wall in the occupied Palestinian territory. Both the public hearings and the delivery of the advisory opinion attracted unprecedented world attention. Meeting the demands of the media and providing adequate security placed a great burden on the Court's resources, and it is now clear that the Court

will require additional funds to cover its expenses for the 2004-2005 biennium. I sincerely hope that the allocation of such funds will be authorized as soon as possible, so that the Court can rest assured that it has adequate financial support to perform its role in the year ahead.

In the review period, the Court has continued to enhance its use of modern technology, building on the achievements that I outlined in October 2003. However, in order to continue this process and comply with the wishes of the General Assembly in that regard, it is essential for the Court to have the benefit of a high-level professional officer in the Computerization Division. Therefore, the Court will repeat the request made last year for the creation of a post to enable it to recruit a senior informational technology staff member with extensive experience and appropriate qualifications.

Finally, on behalf of the Court, I should like to express thanks for the approval of a number of specific requests. In particular, five new law clerk posts were converted from temporary to established positions, and, on the recommendation of the United Nations Security Coordinator, two security posts were created.

Since its establishment in 1946 — more than half a century ago — the International Court of Justice has contributed to the promotion and development of a unified international legal system, both by the adjudication of contentious disputes between States and by the exercise of its advisory function.

In the period under review, it has demonstrated its ability to deal with a varied and demanding caseload. It has clearly shown that it can react urgently and efficiently to meet the needs of States, as in the case concerning *Avena and Other Mexican Nationals*, and to respond to requests from the General Assembly for an advisory opinion. In performing its role as the principal judicial organ of the United Nations, the Court is always conscious of the purposes and principles of the Organization, and it is particularly aware of its responsibility to contribute to the maintenance of peace and security in every region of the world.

In order to achieve these aims and perform its functions, the Court looks to the other principal organs for support and guidance, recognizing that those organs operate on a strictly equal footing, each affording due deference to the authority of the others.

It remains for me to thank the Assembly sincerely on behalf of the International Court of Justice for its encouragement and assistance during the review period, and to express my hope that this cooperation and understanding will increase in the years to come, so that the Court can contribute to the vision of a revitalized and effective United Nations.

Mr. Balarezo (Peru) (*spoke in Spanish*): First of all, on behalf of the Government and the people of Peru, we wish to convey our condolences on the death of the President of the United Arab Emirates.

I wish to thank the President of the International Court of Justice, Judge Shi Jiuyong, for his introduction of the annual report on the work of the Court. The International Court of Justice is the principal judicial organ of the United Nations. Its contribution to the peaceful settlement of disputes and to the rule of law at the international level has been crucial since its inception and continues to be so today.

Bearing in mind the far-reaching importance of the role of the International Court of Justice in the maintenance of international peace and security and its contribution to achieving the fundamental purposes of the United Nations through the peaceful settlement of legal disputes between States, Peru deems it of the greatest importance that the Court's jurisdiction be universally accepted.

Today only 65 States, including Peru, have accepted the binding jurisdiction of the Court pursuant to paragraph 2 of article 36 of the Statute of the Court. We would urge all States that have not yet done so to accept the binding jurisdiction of the Court without conditions, to submit their disputes to this body, and to comply with its rulings.

In 1989, the Secretary-General's Trust Fund to Assist States in the Settlement of Disputes through the International Court of Justice was set up in order to support States prepared to resolve their disputes through the Court but deterred by the cost of the process or of abiding by the ruling.

Peru welcomes the amendments made to the mandate of the Trust Fund, which are set out in the report contained in document A/59/372. The expansion of the eligibility criteria whereby States may receive financial assistance from the Fund and the establishment of a mechanism for advances are positive changes which will undoubtedly make it

possible for more States to consider recourse to the International Court of Justice for the peaceful settlement of their disputes.

Peru expresses its recognition to those States that have made contributions to the Fund and echoes the appeal of the Secretary-General to States, intergovernmental organizations, national institutions and non-governmental organizations, as well as natural and legal persons, to continue to make voluntary contributions to the Fund. The increasing number of cases that have been submitted for the Court's consideration — which is currently approximately 20 — attests to the commitment of States to peaceful means for the settlement of disputes and is a clear demonstration of the international community's increasing trust in this jurisdictional authority.

The Court — precisely because of the many cases before it and recognizing how important it is that justice be administered not only efficiently, but in a timely manner — has again reviewed its working methods, and in July it adopted effective additional legal guidelines aimed at expediting cases. Peru appreciates that review and respectfully urges the Court to persevere in that effort.

My country also wishes to highlight the work of the Court in publicizing its activities and decisions. The dissemination of information by electronic means — particularly the Court's web site — are significant tools for ensuring that the Court's valuable activities are widely known. Peru commends the Court for that work and encourages it to consider options with regard to further publicizing its judicial activities in all of the official United Nations languages. In that connection, so as not to incur additional expense, we should explore the possibility of academic institutions working together to translate documentation and making it available to interested parties through electronic means.

Finally, I should like to reaffirm the resolve of Peru —a country that has historically demonstrated its strict respect for international law and peaceful means for the settlement of disputes — to continue to support the International Court of Justice in carrying out the lofty responsibilities entrusted to it by the international community.

Mr. Kitaoka (Japan): It is my great pleasure and honour, on behalf of the Government of Japan, to address the Assembly under the presidency of His Excellency Mr. Jean Ping.

First of all, I would like to express my sincere appreciation to Judge Shi Jiuyong, President of the International Court of Justice (ICJ), for his comprehensive presentation on the report of the ICJ (A/59/4) today. My delegation would like to express its gratitude and support for the achievements of the International Court of Justice over the past year.

There is a growing awareness among nations that the international community must establish law and order and that international law should play a greater role in that regard. International law is a dynamic legal system that has continued to evolve over time. Needless to say, interpreting and implementing international law require not only profound knowledge of the law, but also wisdom and far-sightedness on the part of the international community. From that point of view, the importance of the role of the Court, as the principal judicial organ of the United Nations, cannot be overstated.

Japan is a State that believes in the rule of law and steadfastly upholds the principle of the peaceful settlement of disputes. The Secretary-General, in his address to the General Assembly on 21 September this year, also reaffirmed the importance of respect for the rule of law. Japan appreciates the achievements of the Court in the past year, during which — despite a high number of cases on the docket — the Court managed to deliver judgments and an opinion based on in-depth consideration of the relevant legal issues. This year, we have also witnessed some notable decisions involving controversial issues in international law. The question of whether or not the Court should remain within the traditional area of international law, applying only established jurisprudence, requires further discussion. But it is a fact that the international community is developing rapidly and that we require a system of laws capable of addressing the latest situations confronting the world. Therefore, with regard to interpretations of the individual issues of international law that were highlighted by the Court, I believe that nations will eventually come to a common understanding.

To conclude my statement, I would like once again to underscore the great importance attached to the International Court of Justice as the keeper of law

and wisdom in our world. Japan will continue to contribute to the invaluable work of the ICJ.

Mr. Rastam (Malaysia): I wish to join you, Mr. President, and others in expressing the sincere condolences and deep sympathy of my delegation to the delegation of the United Arab Emirates upon the demise of His Highness Sheikh Zayed bin Sultan Al-Nahyan, the late President of that country.

My delegation wishes to thank Judge Shi Jiuyong, President of the International Court of Justice (ICJ), for his eloquent presentation of the report of the Court (A/59/4). That comprehensive document is extremely useful in enabling Member States to understand and appreciate the complexity of the work of the Court and the complex issues that the Court deals with.

Malaysia would like to command the Court for its contribution to the peaceful settlement of international disputes between States and to the development of international law. It is self-evident that, if the international community wishes to resolve and prevent conflicts in a peaceful manner, it needs an impartial third party that is competent to deal with the relevant legal questions. The Court has undoubtedly played an important and influential role in the promotion of peace and harmony between nations and peoples of the world through observance of the rule of law and by helping to resolve disputes between States through legal means, as well as by giving advisory opinions on legal questions referred to it in accordance with international law. Malaysia recognizes that role and has full confidence in the Court's competence and ability to serve as the principal judicial organ of the United Nations, as stipulated in the Charter of the United Nations and the Statute of the ICJ.

The Court has been accessible to all States for the peaceful settlement of disputes. Acceptance of the Court's compulsory jurisdiction signifies that a nation is willing to acknowledge the adjudicative powers of the Court in all legal disputes regarding the interpretation of a treaty, any question of international law and the interpretation of other international obligations. Malaysia is pleased to note that, since 1946, the Court has delivered 79 judgments and given 25 advisory opinions. The increased use of the Court is strong evidence that the level of confidence in the Court is extremely high, for the reason that it can trusted to be impartial and effective. We are pleased that the Court has handed down very high-quality judgments and advisory opinions.

Malaysia's belief that the Court is the most appropriate avenue for the peaceful and final resolution of disputes when all efforts in diplomacy have been exhausted has been further strengthened by the confidence that we and the international community have in the role, function and accomplishments of the Court. Malaysia itself has submitted to the Court cases of territorial disputes, in mutual agreement with the other parties concerned, for adjudication by the Court. Malaysia will fully respect the Court's decision in such cases, consistent with its abiding adherence to international law. We firmly believe that respect for the Court's decisions would make a significant contribution to enhancing the Court's stature and prestige and, in turn, inculcate a culture of respect for the rule of law at the international level.

My delegation believes that the significant increase in the number of cases on the docket of the Court as of 31 July 2004 augurs well for the progressive development of international law and the role of the Court as a dispute-settlement mechanism. We note the acceptance by 65 States of the Court's compulsory jurisdiction in accordance with article 36, paragraph 2, of the Statute, and that some 300 bilateral or multilateral treaties provide for the Court to have jurisdiction in the resolution of disputes arising out of the application or interpretation of those respective treaties. These welcome developments clearly demonstrate the increasing confidence in the decisions of the Court and reliance on the settlement of disputes through adjudication, rather than by the use of force. This manifestation of confidence in the rule of law is particularly important at a time when the world is facing many daunting threats and challenges.

In view of the increased workload of the Court, there is an urgent need to strengthen its capacity to efficiently dispose of the cases before it, as well as to undertake the additional administrative responsibilities arising therefrom. At the same time, we are pleased to note that the Court reviewed its procedures and working methods so as to further increase its productivity. As emphasized in the report, even after taking various measures, the Court will require additional funds for the 2004-2005 budget because of the extraordinary and unforeseen costs associated with, inter alia, security requirements and media demands incurred in connection with the issuance of the

advisory opinion on the question of the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*.

That advisory opinion — which, inter alia, ruled that the construction of the wall by Israel, the occupying Power, is contrary to international law and that Israel is under obligation to terminate its breaches of international law — is indeed a significant milestone in the long-running effort to bring to an end the suffering of and dire humanitarian consequences faced by the people in the occupied Palestinian territory and to ensure a just and lasting solution to the question of Palestine. Malaysia is pleased to have participated, through both written and oral submissions, in the open hearings at the Court in February 2004. We consider the whole process of seeking and rendering the advisory opinion to have been a clear manifestation of the healthy relationship between the General Assembly and the Court, as envisaged under the Charter. We are, however, very disappointed that the advisory opinion has not been heeded by Israel.

My delegation takes note of the report of the Secretary-General on the Secretary-General's Trust Fund, as contained in document A/59/372. We note the Secretary-General's appeal to all States and other relevant entities to give serious consideration to making contributions to the Fund, which has had a decreasing level of resources since its inception. We also note the revision in the terms of reference of the Fund.

Malaysia commends the efforts undertaken by the International Court of Justice to increase public awareness and understanding of its work in the judicial settlement of international disputes, its advisory functions, case law and working methods, as well as its role within the United Nations, through its publications and lectures by the President, members of the Court, the Registrar and members of the Registry staff. We welcome the Court's distribution of press releases and background notes, as well as its handbook, aimed at keeping the public informed about its work, functions and jurisdiction. We concur with the view that the Court's web site has been extremely useful and well utilized by diplomats, lawyers, academicians, students and interested members of the public as an important source of access to the Court's judgments, which constitute the most recent developments in international case law. We hope that the Court will be granted adequate resources to allow it to continue to fulfil its mandate and meet the demands of an increasing workload.

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): I should like first of all to join with all previous speakers who have expressed their sincere and heartfelt condolences to our brothers from the delegation of the United Arab Emirates for the loss of their leader, His Highness Sheikh Zayed bin Sultan Al-Nahyan, who was an eminent and very worthy man.

I would also like to pay tribute to the President of the International Court of Justice and to express appreciation to him for his efforts to strengthen the authority of the rule of international law. I would like to thank him for his comprehensive statement on the work of the Court for last year.

Syria is deeply convinced of the important and fundamental role of justice in the life of peoples and nations. We believe that the International Court of Justice, as the main instrument of the United Nations for the application of justice among nations, is qualified to protect rights and settle disputes.

The countries of the Arab region, including my own country, Syria, witnessed the first forms of justice with the Code of Hammurabi thousands of years ago. Those countries stress the fact that our world today is in dire need of strict international order of justice that would fulfil the requirements and deal with the developments that have taken place in all fields in the region in the past decade.

Some of the disputes have often become open bloody conflicts, which undermine international peace and security. In that regard, we believe that the Charter is still the instrument that will make it possible to resolve many of those disputes. As its Statute makes clear, the International Court of Justice is called upon to address those disputes. An increasing number of States have had recourse to the International Court of Justice in the past few years in order to resolve disputes and put an end to contentious issues with other States.

Here, I would again like to reaffirm the importance of ensuring adequate and needed funding for the mandates of the Court so that it can do its job properly.

The report submitted by Judge Shi Jiuyong, President of the International Court of Justice, refers to a large number of cases of which the Court has been

seized recently, as well as the results achieved and the respect that those decisions have received. I would like to refer in particular to the advisory opinion, which was adopted almost unanimously, condemning the construction of a wall by Israel on occupied Palestinian territory. The members of the Court stated almost unanimously that the building of that wall on occupied Palestinian territory was contrary to international law and that Israel should refrain from its violations put an end to the building of the wall and make the necessary reparations. We should also note that in its advisory opinion the Court stated that all States are bound not to recognize the legal situation arising from the building of the wall and should press Israel to respect international humanitarian law, as embodied in the Fourth Geneva Convention.

The advisory opinion also declared that the United Nations, including the Security Council and the General Assembly, should take all necessary measures to put an end to the unlawful situation that has arisen from the building of the wall; we expect those bodies to play their proper role.

The International Court of Justice, the instrument that the United Nations has for carrying out justice, has expressed its opinion. What is more important, therefore, is to implement the advisory opinion. The peoples of the world who believe in justice are waiting for the implementation of the advisory opinion. Justice is not simply an opinion; its true value lies in its implementation.

We believe that the peoples of the United Nations are anxious to see justice prevail, including justice for the future of the Palestinian people, and to see the establishment of its own independent State on its own territory. Yet the world continues to witness Israel's rejection of the provisions of international law and of the International Court of Justice's advisory opinion.

Syria once again expresses its respect for the role and work of the Court, and along with other States Members of the Organization that are devoted to justice and the rule of law, we will be relentless in our efforts to strengthen the role of the International Court of Justice in all respects.

Mr. Gómez Robledo (Mexico) (*spoke in Spanish*): My delegation wishes to convey its appreciation to the President of the International Court of Justice, Judge Shi Jiuyong, for the very detailed report that he has presented to the General Assembly.

Mexico wishes to pay tribute once again to the principal judicial organ of the United Nations for its constant contribution to the development of international law and the promotion of justice among States. The spectacular increase in the number of cases referred to the Court is a clear and palpable sign of the political backing of the international community for its judicial practices, its impartiality and its independence.

The current workload of the Court greatly differs from the meagre number of cases submitted to it not so long ago, for example, in the 1970s. At the present time, the Court faces the challenge of resolving 21 cases. Unquestionably, the end of the cold war helped tremendously to induce States to have recourse to the Court to solve their disputes through peaceful means, so as not to endanger international peace and security, or justice.

In the context of constant growth and evolution, the Court has not overlooked the needs resulting from its own success. Expediting the processing of cases and improving its methods of work have been key factors in the strategic operational planning of the Court, with a view to responding to current demands and the complexity that many cases have acquired from a procedural point of view.

Mexico appreciates the efforts of the Court in that area, and encourages parties involved in contentious cases to cooperate fully with the Court and to follow its guidelines. In particular, we warmly welcome the recent measures taken by the Court to enhance its productivity, in terms of internal functioning, with the goal, among other things, of shortening the period of time between the conclusion of written activities, and the opening of the oral proceedings. At the same time, Mexico welcomes the adoption of a set of reforms to the Court's practical guidelines.

These comments on the activities of the Court are merely the direct result of the recent first-hand experience of Mexico, in the case in which my country was involved with the United States — the case of *Avena and Other Mexican Nationals v. The United States of America*. That was the first time that Mexico took part in a contentious case before the Court. A decision of such far-reaching importance could be taken only if there was well-founded trust in the seriousness, strict legal standards and impartiality of the Court. Mexico was not disappointed by the Court.

Concerning the procedures in that case, the Court was able to induce the parties not to delay the phases of the case, given the vital importance of the rights and the laws at stake. The parties fully cooperated with the Court, and the Court worked determinedly to meet the expectations of the parties. Upon the request of the applicant, the Court ordered provisional measures in order to safeguard Mexico's rights. The United States fully respected the Court's order concerning provisional measures.

With regard to the ruling on the substance of the issue, the Court, once again, did international law and justice a distinguished service. The actions of the Court resolved an issue which negotiations between the parties had not been able to achieve, over many years.

In *Avena*, the Court spelled out the scope of the obligations stemming from article 36 of the Vienna Convention on Consular Relations, regarding the right to notification of and information about, consular assistance, and clarified aspects which the parties wished to see defined, since the ruling in the *LaGrand* case. In *Avena*, the Court spelled out the criteria which govern the question of restitution, following violations of obligations stemming from article 36 of the Vienna Convention on Consular Relations.

Lastly, in *Avena*, the Court established principles which must be observed, generally, by all States parties to the Vienna Convention on Consular Relations. In short, Mexico was fully satisfied as regards the application it made, and the pleas that it addressed to the Court.

We convey our congratulations to Slovakia, for having joined this year the family of States recognizing the compulsory jurisdiction of the Court, pursuant to paragraphs 2 and 3 of article 36 of the Court's Statute. Slovakia brings the number of States that have deposited such declarations to 65. We urge the States that have not already done so or those that have withdrawn their declarations to accept, once and for all, the compulsory jurisdiction of the International Court of Justice.

Regarding the judicial practices of the Court, we should note the key role the Court has played in developing case law relating to questions concerning the delimitation of maritime zones between States. The case most recently brought before the Court by Romania against Ukraine, concerning a disputed delimitation in the Black Sea, is an example of that trend. Mexico will be monitoring those developments very closely and we will be continuing its efforts on the regional level to enable coastal States of the Caribbean Sea that so wish to draw on the financial means to obtain the necessary technical and legal assistance to begin bilateral negotiations on maritime delimitation or even resort to judicial settlement. For the third consecutive year Mexico has provided financial resources to the trust fund for maritime delimitation in the Caribbean Sea, whose purpose is to provide resources for technical assistance, as I just mentioned, in the area of maritime delimitation.

In that context, Mexico would also like to convey its appreciation and gratitude to the Secretary-General for the review of the mandate of the Secretary-General's Trust Fund to Assist States in the Settlement of Disputes through the International Court of Justice. We encourage all States in a position to do so to make contributions to that Fund.

The Court will continue to play a distinguished role in the international judicial arena, which has been strengthened by new institutions to benefit the international community. Mexico will continue to support all those mechanisms and institutions so as to promote the peaceful settlement of disputes among States.

The Organization is experiencing the winds of change. Mexico is convinced that institutional reforms occasioned by the process of change now under way should not be confined to just one principal organ of our Organization. The reform process needs to be comprehensive and, accordingly, it should embrace all the principal organs of the United Nations, including the International Court of Justice. Given the expectation of possible changes in the composition of the principal organs of the Organization, Mexico urges Member States to reflect upon the potential consequences of those changes on the composition of the Court. Mexico is ready to contribute to that discussion and at an appropriate time will be putting forward more detailed ideas on that issue.

Mr. Lavalle-Valdés (Guatemala) (*spoke in Spanish*): My delegation wishes to add its condolences to those expressed on the passing of the head of State of the United Arab Emirates.

The illustrious Grotius highlighted the need of human communities for law to govern their activities in order to ensure their survival, adding that that

generalization applied to the human race as a whole. It might be thought that, given the far-reaching changes that have taken place in international relations since the age of the great Dutch thinker, his comment, which as far as he was concerned related to all States then existing, is very far from being applicable without qualification to the community of modern States. We, however, believe that Grotius's ideas are still fundamentally valid. All the more so, since, as distinct from the events of his era, the activities of States and of individuals not fully controlled by such States can cause tremendous damage to the human race as a whole.

For those who spoke Latin the close affinity between the concepts of law, judge and judgement — or, respectively, *ius*, *iudex* and *iudicium* — was obvious. It is as if, except for those absolutely primitive laws that we believe no longer exist, there can be no law without judges. Indeed, in a large number of juridical systems law is conceived of as something so inseparable from those who perform it that their activity comes to be the principle modality of expressing the law. Thus, it is understandable that for centuries now States have occasionally referred their disputes to ad hoc bodies of a judicial character. For similar reasons, much more recently, some States have done the same on the regional and subregional levels, through collective intergovernmental organs of a much more markedly judicial nature but which, despite their relative permanency, generally lack comprehensive jurisdiction.

It is also understandable, then, that there should be a court equally competent to be seized of disputes between States, but whose jurisdiction is totally comprehensive and in which practically all States participate or may participate. I am, of course, referring to the International Court of Justice. If we regard the International Court of Justice more as a continuation than as a successor of the venerable Permanent Court of International Justice — which is highly justifiable — it is plain that the Court to which I refer is the is the one that was founded under the latter name in 1922, and then, in 1946, with changes that simply reflected the new international order, it became the Court whose report we are now considering and whose activities in recent years have expanded in an impressive fashion.

The annual consideration in the Assembly of the report of the International Court of Justice, although it follows an already traditional pattern, has not become a mere rote procedure, but is a real opportunity for Member States to study the report and to listen with great interest to the statement that that President of that venerable institution makes. In that regard, I would like to say that we are all very grateful for the extremely important participation of the President of the Court in this meeting, as he is able to make the contents of the report come to life, enhancing to the highest degree the validity of our debate through his comments. Consideration of the report in the plenary meeting of the Assembly is also an appropriate opportunity and a unique occasion for Member States wishing to do so to voice their opinions about the Court in general and, more specifically, about the work that it is doing, as well as about the practical functioning of the Court.

Thus, we have before us a document of the greatest interest and usefulness, owing not only to the far-reaching topics that it addresses, but also to the scope and precision of the report and the care that has gone into its design and preparation. We also commend the sound judgement of its authors in presenting information that is not overburdened with detail, but still meets the need we all feel to familiarize ourselves with the multiple activities of the Court, which cover a fairly broad range and which derive directly from the implementation of the corresponding provisions of the Charter of the United Nations and the Statute of the Court.

I would like to address some practical aspects of the report (A/59/4). Paragraph 249, we believe, should reflect not only the amended Practice Directions, but also the other amendments that were proposed. We would like in the next report to include all the proposed amendments to the Practice Directions. We know that the texts appear on the Internet, but, all the same, we would like to see them in the report.

We would like to reaffirm to the President of the Court our profound appreciation for his attendance here once again to introduce the report of his institution; and we would like to extend our thanks to the secretariat of the Court for having prepared this valuable document.

Mr. Ayua (Nigeria): This statement is being read out on behalf of the Permanent Representative of Nigeria to the United Nations, His Excellency Ambassador Aminu Bashir Wali, who is unavoidably absent.

The Nigerian delegation wishes to express its appreciation to Judge Shi Jiuyong, President of the International Court of Justice (ICJ) for the comprehensive annual report (A/59/4) now under consideration. We commend the Court for the wide-ranging activities covered in the report and the principles of justice and international law, which it continues to uphold.

Nigeria reiterates its conviction that the ICJ remains the only international court of universal character with general jurisdiction concerning the settlement of disputes freely submitted to it by sovereign States. In this regard, Nigeria is not only a State party to the Statute of the Court but is also one of the 65 States that has deposited with the Secretary-General a declaration of acceptance of the Court's compulsory jurisdiction in accordance with article 36, paragraph 2, of the Statute. Indeed, this formed the basis of Nigeria's acceptance of the October 2002 decision of the Court on the land and maritime boundaries dispute with Cameroon, the implementation of which has proceeded under the aegis of the Nigeria-Cameroon Mixed Commission.

Nigeria commends the Court for upholding the rule of law within the United Nations system, as well as its positive contribution to international peace and security through its invaluable adjudicative role in resolving varied disputes among States. We also note the advisory opinion offered by Court in July 2004 on the question of the legal consequences of the construction of a wall in the occupied Palestinian territory.

Nigeria welcomes the increased confidence that States continue to show in the Court's ability to resolve their disputes. This is evident in the 26 cases referred to the Court from all over the world during the period under review, out of which 20 are now pending. In addition to enlarging the number of ad hoc judges chosen by States parties to handle the growing number of cases referred to the Court, it is gratifying to note the continuation of the Court's periodic reviews of its procedures and working methods, including added measures adopted in July this year, aimed at enhancing the internal functioning of the Court, together with practical steps taken to increase the number of decisions rendered each year by shortening the period between the closure of written proceedings and the opening of oral proceedings.

Our delegation further commends the adoption of amended Practice Direction V and new Practice Directions X, XI and XII, which we consider as significant steps towards increasing the effectiveness and efficiency of the Court in light of the growing number of cases being referred to the Court by States. We urge the Court to continue fulfilling its role as the principal judicial organ of the United Nations with utmost care and firmness. We believe that adequate funding of the Court would enable it keep pace with the advancement of modern technology, which it requires for the discharge of its functions. In this regard, the pending request of the Court for a modest expansion of its Computerization Division from one to two professional officers deserves favourable consideration. This request needs to be considered in tandem with the Court's extrabudgetary expenditures occasioned by the offer of its advisory opinion on the question of the legal consequences of the construction of a wall in the occupied Palestinian territory, as well as the measures taken by the Court to enhance the security and safety of its staff and premises.

We note with appreciation the contributions made during the period under review by Finland, Norway and Mexico to the Secretary-General's Trust Fund to Assist States in the Settlement of Disputes through the International Court of Justice. We commend the Secretary-General for the review of existing procedures governing the eligibility rules for application for financial assistance by States which lack the necessary financial resources to cover expenses in connection with either a dispute submitted to the Court by way of a special agreement or in connection with the execution of a judgment. A revision would no doubt assist in meeting the needs of all States wishing to call upon the Court to settle their disputes peacefully and would encourage them to do so, thus fulfilling the objective that informed the establishment of the Fund.

Finally, Mr. President, let me reaffirm Nigeria's commitment to the provisions of the Statute of the Court, recognizing that this will enhance respect for international law.

Mr. Yáñez-Barnuevo (Spain) (*spoke in Spanish*): Allow me to begin by conveying the most heartfelt condolences of the Spanish delegation to the delegation of the United Arab Emirates on the occasion of the recent death of His Highness Sheikh Zayed bin Sultan Al-Nahyan, head of State of the United Arab Emirates.

At the beginning of this session of the General Assembly, the Secretary-General highlighted the value of the rule of law both within States and in international relations. Just a few days ago the Security Council held a debate on the same issue from the standpoint of the role of the United Nations in post-conflict peace-building. As we are now considering in the Assembly the report of the International Court of Justice (ICJ), and having heard the very useful statement by Judge Shi Jiuyong, its President, this opportunity is particularly timely because the Court is a key body and a principle organ of the United Nations in ensuring that the rule of law genuinely prevails in international relations in an increasingly complex world.

The ICJ report reveals — and this is something we note with satisfaction — that States have been referring many cases to the ICJ in recent years. This is a good sign, not only in terms of the quantity, when compared to the not-too-distant past, but also in terms of the clearly increasing acceptance of the rule of law by States of all regions of the world, both developed and developing, in the context of international disputes of a wide-ranging nature.

Secondly, we need to stress the intensive judicial work that the Court has been carrying out in the period covered by the report, with its various oral proceedings that have led to three rulings and the issuance of an Advisory Opinion, together with a large number of findings in pending cases.

These facts in themselves indicate that the Court is becoming a very active body, and it is foreseeable that its activities will further expand over the next few years, given the number of cases that still have to be resolved and those that are steadily being added to its list. For this reason, we welcome the fact that the Court has undertaken a review of its working methods, a fact that has already led to a number of measures to improve its internal functioning and, as far as possible, expedite proceedings.

This intensive work on the part of the Court is due to the fact that the Court embodies the principle of the equality of States before international law. As a third impartial party, it acts as the guardian of international law, thus safeguarding the maintenance of a coherent international legal order, as described by the President of the Court himself.

In applying international law, the Court is helping to develop it and to spell out its functions, as may be noted, for example, in the declaration of the Court in 2001 concerning the obligatory nature of the findings that establish provisional measures. Compliance by States with such provisional measures is undoubtedly a key factor in peace.

We should also underscore the importance of the advisory function of the Court, as can be seen from the Opinion issued in July 2004 on the legal consequences of the construction of a wall in the occupied Palestinian territory, an opinion requested by the General Assembly. This Advisory Opinion bears witness to the fact that international law, applied to a specific issue, may play a relevant role in addressing a prolonged conflict situation, such as the one in the Middle East, which affects the whole international community and which demands a speedy resolution that would be satisfactory to all parties in the interests of peace and justice.

I have already said that it is foreseeable that in the next few years the Court will have a very heavy workload. This is something that we should not overlook, because, if we want it to be an efficient judicial organ in the service of the international community, we must give an appropriate response to the staffing and physical needs that this will generate. Accordingly, we cannot reject the modest proposals that the Court has presented to the General Assembly in this regard, as happened, to some extent, last year.

One needs only to read the report to understand that the activity of the secretariat of the Court is dependent on limited resources in a number of areas, and it would be appropriate to gradually increase those resources, in particular when it comes to the application of modern information technologies.

As regards the Court's budget for the next biennium, my delegation believes that it would be incumbent upon us to support its proposals, so that it can adequately carry out its valuable judicial function in the service of peace and in ensuring the rule of law in international relations.

Mr. Lobach (Russian Federation) (*spoke in Russian*): Mr. President, allow me first of all to express gratitude to the President of the International Court of Justice (ICJ), Judge Shi Jiuyong, for the very important report on the work of the Court that was introduced in the General Assembly today.

The Russian Federation has traditionally paid continuous attention to the work of the ICJ and has fully supported it. The Court is a unique international body that plays the leading role in carrying out one of the main objectives of the United Nations — namely, the peaceful settlement of disputes between States. The Russian delegation greatly appreciates the work of the Court, which has been successful in the discharge of its duties.

It is worth noting that in recent years the work of the Court has been characterized by a steady increase in the number of issues referred to it by States for consideration. There has also been an expansion in the topics it deals with, as well as in the areas it covers. This trend is very telling of a constantly growing authority of the ICJ and its judgments. We believe that this should be completed by a universal practice of concise and unconditional implementation of obligations by States bound to them by these Court rulings. Unswerving fulfilment of this requirement, stemming from the United Nations Charter and the Court's Statute, are essential in order to ensure the primacy of law in international affairs.

Advisory Opinions issued by the Court at the request of United Nations bodies and its specialized agencies on various legal issues are of utmost importance. In our view, States must be extremely cautious in their use of this instrument, particularly when the application pertains to situations relating to a dispute between parties, one of which does not recognize the jurisdiction of the Court as binding upon them. The Court must bear this in mind when exercising its Advisory jurisdiction. We believe that its Advisory Opinions must not hinder the search for political settlements.

We welcome the efforts of the leadership of the Court to enhance the effectiveness of its work and to improve its methods. We also welcome recent additional measures taken to rationalize the internal functioning of the Court and to increase the number of judgments rendered annually.

In conclusion, the Russian delegation would like to express its gratification at the fact that issues pertaining to the financing of the Court, the expansion of its composition and the improvement of the technical equipment provided to it have been addressed successfully of late. We are confident that the as-yet-unresolved problems will be promptly addressed, thereby enabling the Court effectively to continue its work.

Mr. Butagira (Uganda): Let me first express our condolences to the United Arab Emirates upon the untimely death of Sheikh Zayed bin Sultan. May God rest his soul in eternal peace.

Allow me to express our appreciation to President Shi Jiuyong for his very articulate and most succinct introduction of the report of the International Court of Justice, contained in document A/59/4. We further congratulate him and his colleagues for the excellent work they are carrying out in fulfilment of their mandate as judges of the principal judiciary organ of the United Nations.

Uganda recognizes the fundamental role played by the Court in the resolution of international disputes between States, as well as its consultative status with both the General Assembly and the Security Council on legal issues.

Uganda notes that the Court has a large number of cases pending before it: there are more than 20 on its docket. Needless to say, justice delayed is justice denied. That notwithstanding, however, the Court has made commendable progress, especially with regard to its recent Judgments.

It would be insensitive not to appreciate the dilemma faced by the Court when respondents embark on measures that either stall the process or require the Court to sideline its workload in order to deal more expeditiously with provisional measures that have to be decided upon urgently. However, given the nature of the cases brought before the Court, that is to be expected, and the Court has to find the proper equilibrium in its responses to the challenges raised. Hence, I am happy to note the measures taken, inter alia, to rationalize the work of the Registry, make greater use of information technology, improve its own working methods and secure greater collaboration from the States parties involved. The shortening and simplifying of proceedings is a welcome development. Such measures are bound to reap dividends for both the Court and the parties in both the short and the long run.

Conversely, we urge parties to reduce to the extent possible — without compromising their cases — the number and volume of written pleadings as well as the length of oral arguments.

The decisions rendered in all cases provide an invaluable and indispensable tool to the international legal regime. This vital function is further augmented by the Court's publications, from which my Government has benefited, as, indeed, have many others. States, legal entities, the media and academia have also benefited tremendously from the Court's web site, which features the full texts of the Court's judgments, advisory opinions and orders, including summaries of previous cases.

In conclusion, I wish to reiterate my Government's commendation of the excellent services and direction provided by the Court despite the numerous obstacles it faces given the diversity, complexity and volume of its work and the relatively limited funding, resources and support staff available to it.

The President (*spoke in French*): May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 13?

It was so decided.

Programme of work

The President (*spoke in French*): On Monday morning, 8 November 2004, in addition to the items already scheduled for that meeting, the General Assembly, as the last item, will resume consideration of agenda item 56, Cooperation between the United Nations and regional and other organizations, so as to take action on draft resolutions A/59/L.5/Rev.2, A/59/L.11, A/59/L.14, and A/59/L.19, under sub-items (i), (j), (q) and (t), of agenda item 56.

Also, on Thursday afternoon, 18 November, following the items already scheduled for that meeting, the General Assembly will consider as the last item, agenda item 161 (Andean Zone of Peace). The list of speakers for that item is now open.

The meeting rose at 12 p.m.

United Nations A/59/PV.50

General Assembly
Fifty-ninth session

Official Records

50th plenary meeting
Monday, 8 November 2004, 9.30 a.m.
New York

President: Mr. Ping ..... (Gabon)

The meeting was called to order at 9.40 a.m.

Agenda item 16

Elections to fill vacancies in subsidiary organs and other elections: election of seven members of the Committee for Programme and Coordination

Note by the Secretary-General (A/59/131)

The President (*spoke in French*): Pursuant to General Assembly decision 42/450 of 17 December 1987, the Assembly elects the members of the Committee for Programme and Coordination upon their nomination by the Economic and Social Council.

The Assembly has before it document A/59/131, which contains the names of the countries nominated by the Economic and Social Council to fill the vacancies in the Committee that will occur as a result of the expiration, on 31 December 2004, of the terms of office of China, Ethiopia, Japan, Nigeria, the Republic of Korea, Tunisia and Uruguay.

Those States are eligible for immediate re-election.

I should like to remind members that, after 1 January 2005, the following States will still be members of the Committee: Argentina, Armenia, the Bahamas, Benin, Brazil, Canada, the Central African Republic, the Comoros, Cuba, France, Gabon, Germany, India, Indonesia, the Islamic Republic of Iran, Mexico, Monaco, Nicaragua, Pakistan, the Republic of Moldova, the Russian Federation, South Africa, Switzerland, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Zimbabwe.

Therefore, those 27 States are not eligible in this election.

I should now like to inform members that the following Member States have been nominated by the Economic and Social Council.

The three African States, for three vacancies, are Algeria, Ghana and Kenya.

The three Asian States, for three vacancies, are China, Japan and the Republic of Korea.

The one Latin American and Caribbean State, for one vacancy, is Jamaica.

In accordance with rule 92 of the rules of procedure, all elections should be held by secret ballot, and there shall be no nominations. However, I should like to recall paragraph 16 of General Assembly decision 34/401, whereby the practice of dispensing with the secret ballot for elections to subsidiary organs when the number of candidates corresponds to the number of seats to be filled should become standard, unless a delegation specifically requests a vote on a given election.

In the absence of such a request, may I take it that the Assembly decides to proceed to the election on the basis of dispensing with the secret ballot?

It was so decided.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.

04-60481 (E)

The President (*spoke in French*): Since the number of States nominated from among the three regional groups corresponds to the number of seats to be filled in each of those groups, may I therefore take it that the Assembly wishes to declare those States nominated by the Economic and Social Council from among the African States, the Asian States and the Latin American and Caribbean States — namely, Algeria, China, Ghana, Jamaica, Japan, Kenya and the Republic of Korea — elected members of the Committee for Programme and Coordination for three-year terms of office beginning on 1 January 2005.

It was so decided.

The President (*spoke in French*): I congratulate the seven States that have been elected members of the Committee for Programme and Coordination.

We have thus concluded our consideration of agenda item 16.

Agenda item 17

Appointments to fill vacancies in subsidiary organs and other appointments

(g) Appointment of members of the Committee on Conferences

Note by the Secretary-General (A/59/107)

The President (*spoke in French*): As indicated in document A/59/107, and as the terms of office of Austria, Ethiopia, Jamaica, Jordan, Nepal, Tunisia and the United States of America will expire on 31 December 2004, the President of the General Assembly is required to appoint, during this session of the General Assembly, seven members to the vacant seats on the Committee on Conferences. The new members will take up their functions for a period of three years, beginning on 1 January 2005.

After holding consultations with the Chairmen of the regional groups of the African, Asian, Latin American and Caribbean and Western European and other States, I have appointed Austria, China, Egypt, Jamaica, Kenya, Nepal and the United States of America as members of the Committee on Conferences for a term of office commencing on 1 January 2005.

May I take it that the General Assembly takes note of those appointments?

It was so decided.

The President (*spoke in French*): May I take it that the General Assembly decides to conclude its consideration of sub-item (g) of agenda item 17?

It was so decided.

(h) Appointment of members of the Joint Inspection Unit

Note by the Secretary-General (A/59/108)

The President (*spoke in French*): As indicated in document A/59/108, the General Assembly is required, during the fifty-ninth session, to appoint four members to fill the vacancies in the Joint Inspection Unit that will arise from the expiration of the term of office on 31 December 2005 of Ms. Doris Bertrand-Muck (Austria), Mr. Ion Gorita (Romania), Mr. Wolfgang M. Münch (Germany) and Mr. Louis-Dominique Ouédraogo (Burkina Faso).

As is also indicated in document A/59/108, in accordance with article 3, paragraph 1, of the Statute of the Joint Inspection Unit, the President of the General Assembly shall consult with Member States to draw up a list of four countries that would be requested to propose a candidate for appointment to the Joint Inspection Unit.

After holding the necessary consultations, I should like to communicate to the Assembly that the information that I have received from the Chairmen of the respective Groups of States.

For the single seat from among the Group of African States, the Group has nominated Senegal. For the single seat from among the Group of Eastern European States, the Group has nominated Hungary. For the two seats from among the Group of Western European and other States, the Group has nominated France and Turkey.

In accordance with article 3, paragraph 1, of the Statute of the Joint Inspection Unit, France, Hungary, Senegal and Turkey will therefore be called upon to submit the names of candidates and their curricula vitae highlighting their relevant qualifications for the posts to be filled.

After holding the necessary consultations referred to by article 3, paragraph 2, of the Statute of the Joint Inspection Unit, including consultations with the President of the Economic and Social Council and with the Secretary-General in his capacity as Chairman of

the United Nations System Chief Executives Board for Coordination, I shall propose to the Assembly a list of qualified candidates for appointment to the Joint Inspection Unit.

We have thus concluded the current stage of our consideration of sub-item (h) of agenda item 17.

Agenda item 25

Implementation of the resolutions of the United Nations

The President (*spoke in French*): It is my understanding that there is no request to consider this item during this session.

May I take it that it is the wish of the General Assembly to defer consideration of this item to the sixtieth session, and to include it in the provisional agenda of the sixtieth session?

It was so decided.

Agenda item 56 (*continued*)

Cooperation between the United Nations and regional and other organizations

(i) Cooperation between the United Nations and the International Organization of la Francophonie

Draft resolution (A/59/L.19)

(j) Cooperation between the United Nations and the Inter-Parliamentary Union

Draft resolution (A/59/L.5/Rev.2)

(q) Cooperation between the United Nations and the Pacific Islands Forum

Draft resolution (A/59/L.11)

(t) Cooperation between the United Nations and the Community of Portuguese-speaking Countries

Draft resolution (A/59/L.14)

The President (*spoke in French*): Members will recall that the Assembly held the debate on this agenda item and its sub-items (a) through (t) at its 38th to 40th plenary meetings, on 21 and 22 October 2004.

I give the floor to the representative of Chile to introduce draft resolution A/59/L.5/Rev.2.

Mr. Donoso (Chile) (*spoke in Spanish*): I have the honour to announce to the General Assembly that, following intensive and fruitful consultations among the interested parties, we have reached a consensus on draft resolution A/59/L.5/Rev.2, on cooperation between the United Nations and the Inter-Parliamentary Union. We wish to thank the more than 100 sponsors of the draft resolution from all regions of the world. The following countries have joined the list of sponsors: Australia, Burundi, Cyprus, the Democratic Republic of the Congo, Estonia, the former Yugoslav Republic of Macedonia and Tunisia.

We understand that the phrase "the usual courtesies" in operative paragraph 3 of the draft resolution means that there will not be any exclusion of participants in the second World Conference of Speakers of Parliaments at United Nations Headquarters in September 2005.

The President (*spoke in French*): I give the floor to the representative of Sao Tome and Principe to introduce draft resolution A/59/L.14.

Mr. Ferreira (Sao Tome and Principe): On behalf of Angola, Brazil, Cape Verde, Guinea-Bissau, Mozambique, Portugal, Timor-Leste and Sao Tome and Principe, I have the honour to introduce draft resolution A/59/L.14 under agenda item 56 (t), entitled "Cooperation between the United Nations and the Community of Portuguese-speaking Countries".

The Community of Portuguese-speaking Countries (CPLP) was founded on 17 July 1996 and became a United Nations observer on 18 November 1999. The CPLP brings together 240 million people in eight countries on four continents. Its member States belong to regional organizations such as the European Union, the African Union, the Organization of American States and the Association of South-East Asian Nations.

The CPLP is devoting special attention to the political situation in Guinea-Bissau. Last week, the CPLP Council of Ministers met in Lisbon and decided to establish a temporary CPLP office in Guinea-Bissau. That office will assist Guinea-Bissau in its national dialogue and reconciliation and also in determining its

specific and urgent needs so that the country can return to the path of stability.

In collaboration with the Economic Community of West African States and the Special Representative of the Secretary-General for Guinea-Bissau, we are helping to rebuild confidence at the national level. The CPLP is certain that the United Nations and the regional organizations to which Guinea-Bissau belongs will work in close cooperation to rescue the country from the cycle of violence, poverty, instability and isolation.

The actions of the CPLP demonstrate that we have been implementing the rules of multilateralism and have been cooperating with the United Nations. Now we want to formalize that role and broaden that cooperation by contributing to development and international security. For example, we would like to see the establishment of fruitful cooperation with the United Nations, so that the CPLP can contribute to the implementation of the goals of the Millennium Declaration.

In operative paragraph 1 of the draft resolution, the General Assembly invites the Secretary-General to undertake consultations with the Executive Secretary of the Community of Portuguese-speaking Countries, with a view to promoting cooperation between the two secretariats. In that regard, joint efforts aimed at political facilitation, such as in Guinea-Bissau, constitute one area that could be explored.

In operative paragraph 2, the Assembly requests the specialized agencies and other bodies and programmes of the United Nations to cooperate to this end with the Secretary-General and the Executive Secretary of the CPLP. I wish to draw the attention of members to the fact that the CPLP has already signed cooperation agreements with a number of United Nations organs and agencies — namely, the United Nations Educational, Scientific and Cultural Organization, the World Food Programme and the United Nations Conference on Trade and Development — but that much more work remains to be done.

Finally, the draft resolution asks the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its sixty-first session.

The members of the CPLP are introducing this draft resolution to the Assembly for its consideration. Our delegations thank all Member States for considering the draft resolution. We hope that it will be adopted by consensus.

The President (*spoke in French*): I now give the floor to the representative of Lebanon to introduce draft resolution A/59/L.19.

Mr. Assaf (Lebanon) (*spoke in French*): I have the honour to take the floor on behalf of the francophone group and the sponsors to introduce draft resolution A/59/L.19, entitled "Cooperation between the United Nations and the International Organization of la Francophonie".

Lebanon — which had the honour to host the Ninth Summit of la Francophonie in 2002, devoted to the theme "Dialogue of cultures" — remains faithful to its francophone heritage and will continue to play its role in the International Organization of la Francophonie (IOF).

I should like to thank the Secretary-General for the high quality of his report (A/59/303) submitted under agenda item 56, entitled "Cooperation between the United Nations and regional and other organizations" — particularly section X of the report, on the International Organization of la Francophonie. I should also like to thank the Secretary-General of the IOF for his constant efforts to promote both the role of the IOF and the development of its relations with the United Nations.

The draft resolution before us was sponsored by 77 countries. It includes a 10-paragraph preambular part and a 16-paragraph operative part. The preambular part reflects the importance of regional cooperation in multilateral relations and the establishment and development of democracy, as well as respect for the dialogue among civilizations and for cultural and linguistic diversity. It recalls the importance of the fight against poverty and the principles on which cooperation between the IOF and the United Nations is based.

The operative part underscores the positive participation of the IOF in the work of the United Nations and the cooperation between the two organizations in conflict prevention and other fields of mutual interest, as well as the role of the IOF in

international conferences, under the auspices of the United Nations.

The operative part also welcomes the fact that the tenth summit conference of la Francophonie will be devoted to solidarity for sustainable development. It reflects the cooperation that exists between the IOF and the United Nations and between the IOF and the specialized agencies of the United Nations system to promote development and the elimination of poverty.

Lastly, on behalf of the sponsors, it is my pleasure to invite the General Assembly to give its full support to draft resolution A/59/L.19.

The President (*spoke in French*): The Assembly will now take a decision on draft resolutions A/59/L.5/Rev.2, A/59/L.11, A/59/L.14 and A/59/L.19.

We turn first to draft resolution A/59/L.5/Rev.2, entitled "Cooperation between the United Nations and the Inter-Parliamentary Union".

Since the introduction of the draft resolution, Cameroon has joined the list of sponsors.

May I take it that the Assembly decides to adopt draft resolution A/59/L.5/Rev.2 without a vote?

Draft resolution A/59/L.5/Rev.2 was adopted (resolution 59/19).

The President (*spoke in French*): We turn now to draft resolution A/59/L.11, entitled "Cooperation between the United Nations and the Pacific Islands Forum".

I give the floor to the representative of the Secretariat.

Mr. Botnaru (Chief, General Assembly Affairs Branch, Department for General Assembly and Conference Management): I would like to inform representatives that in operative paragraph 17 of draft resolution A/59/L.11, the Assembly would call upon the Office of the United Nations High Commissioner for Human Rights to provide technical support to Pacific Islands Forum members to contribute to the regional efforts in promoting awareness and knowledge of all international human rights treaties.

It is envisaged that this activity would be financed from extrabudgetary resources. Hence, the adoption of the draft resolution would not entail any additional appropriation for the biennium 2004-2005.

The President (*spoke in French*): Before taking action on draft resolution A/59/L.11, I would like to inform the Assembly that since its introduction, the following countries have joined the list of sponsors: Armenia, Brunei Darussalam, Bulgaria, Costa Rica, the Czech Republic, Grenada, India, Indonesia, Iceland, Ireland, Japan, the Lao People's Democratic Republic, Lithuania, Malaysia, Nepal, the Republic of Korea, Saint Kitts and Nevis, Suriname, Thailand and Ukraine.

May I take it that the Assembly decides to adopt draft resolution A/59/L.11 without a vote?

Draft resolution A/59/L.11 was adopted (resolution 59/20).

The President (*spoke in French*): Draft resolution A/59/L.14 is entitled "Cooperation between the United Nations and the Community of Portuguese-speaking Countries".

May I take it that the Assembly decides to adopt draft resolution A/59/L.14 without a vote?

Draft resolution A/59/L.14 was adopted (resolution 59/21).

The President (*spoke in French*): Draft resolution A/59/L.19 is entitled "Cooperation between the United Nations and the International Organization of la Francophonie".

Before we take action on the draft resolution, I would like to inform the Assembly that, since its introduction, the following countries have joined the list of sponsors: Costa Rica, Liechtenstein and Thailand.

May I take it that the Assembly decides to adopt draft resolution A/59/L.19 without a vote?

Draft resolution A/59/L.19 was adopted (resolution 59/22).

The President (*spoke in French*): May I take it that it is the wish of the General Assembly to conclude its consideration of sub-items (i), (j), (q) and (t) of agenda item 56?

It was so decided.

The meeting rose at 10.10 a.m.

United Nations A/59/PV.51

General Assembly

Fifty-ninth session

Official Records

51st plenary meeting
Thursday, 11 November 2004, 9.30 a.m.
New York

President: Mr. Ping ..... (Gabon)

The meeting was called to order at 9.55 a.m.

Agenda item 39

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance

Report of the Secretary-General (A/59/332)

(a) Strengthening of the coordination of emergency humanitarian assistance of the United Nations

Reports of the Secretary-General (A/59/93, A/59/374)

(c) Assistance to the Palestinian people

Report of the Secretary-General (A/59/121)

Draft resolution (A/59/L.24)

The President (*spoke in French*): With regard to sub-item (b) of agenda item 39, "Special economic assistance to individual countries or regions", I would like to recall for the members of the General Assembly that, pursuant to General Assembly resolution 58/316 of 1 July 2004, the Assembly, on the recommendation of the General Committee, decided at its 2nd plenary meeting, on 17 September 2004, to allocate this sub-item to the Second Committee.

I would also like to recall for members that, as indicated in the programme of work of the General Assembly and schedule of plenary meetings (document A/INF/59/3/Rev.1), sub-item (d) of agenda item 39, "Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan", will be considered in a joint debate with agenda item 27, "The situation in Afghanistan and its implications for international peace and security", on Wednesday, 8 December 2004.

Mr. van den Berg (Netherlands): I have the honour to speak on behalf of the European Union (EU). The candidate countries Bulgaria, Croatia, Romania and Turkey, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia and Serbia and Montenegro, and the European Free Trade Association (EFTA) country Iceland member of the European Economic Area, align themselves with this statement.

The issue of humanitarian coordination is at the core of the ongoing debate about improving the quality and effectiveness of humanitarian aid. The EU, along with others, has put coordination at the top of the humanitarian agenda. However, the EU believes that humanitarian coordination should not be limited to humanitarian actors alone. An effective response to today's humanitarian challenges requires us to broaden our view and to include political, military and development partners in our dialogue on humanitarian issues.

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04-60325 (E)

Turning to the issue of humanitarian coordination, in humanitarian crises more than in other situation, coordination is of paramount importance. Good coordination literally saves lives. I truly believe that we can congratulate ourselves on the progress made in this particular field in recent years. I refer to the Consolidated Appeals Process and the way in which the Office for the Coordination of Humanitarian Affairs (OCHA) has been taking the lead in coordination matters. The European Union wishes to reiterate here its commitment to both the Consolidated Appeals Process and OCHA.

Moreover, I would like to explicitly express our support for the Secretary-General's Emergency Relief Coordinator, Jan Egeland, and his unwavering efforts not only to deal with humanitarian suffering but to make the rest of the world deal with it, too. His work in relation not only to the Darfur crisis but also to northern Uganda and Colombia are very good examples in that respect.

The Darfur crisis has not yet come to an end; time is running out for even more people. During the meeting of the Economic and Social Council, the European Union commended attempts by the Office for the Coordination of Humanitarian Affairs (OCHA) to ensure access for humanitarian organizations and coordinated humanitarian action. We are currently seeing vastly improved access and far better coordinated action. However, the human suffering in Darfur is still terrible, and progress is too slow. The EU calls upon the Government of the Sudan and other parties to the conflict to better protect the civilian population. The European Union also urges the international community to do what we failed to do sufficiently in the beginning: make the relief operations possible financially.

As I said, coordination should be inclusive rather than restricted to only some stakeholders. In recent years, the discussion on humanitarian action and coordination has mainly been a debate between United Nations agencies and donor Governments. It is time for others to join the debate in a more systematic way, so as to strive for more effective aid delivery and for more sustainable results.

First, I would like to look at links between humanitarian assistance and development cooperation. Developments in many countries and regions force us to do so. We have to make the transition from emergency aid to development in countries such as Afghanistan, Liberia and Angola, in order to give the people of those countries a new perspective. Although we realize that more needs to be done, when it comes to transition the European Union welcomes the work done by the Joint Working Group on Transition Issues of the United Nations Development Group and the Executive Committee on Humanitarian Affairs. Even more than during the relief phase, during transition national Governments should be given the opportunity and means to assume their responsibilities, and civil society should be given the chance and capacities to make its own positive contribution to the rebuilding of post-conflict countries. If Governments and non-government actors play those roles, the United Nations role should be limited to support and capacity-building.

Clearly, more funding is required for transition and reconstruction purposes, if only to prevent countries from reverting to conflict. Well-established funding mechanisms, which exist for humanitarian and development purposes are lacking here. The European Union is aware of that and is working on ways to improve its performance in countries in transition. The European Commission's concept for linking relief to development will provide guidance in that regard.

Humanitarian coordination must not only include national and local Governments; equally important is that the affected populations themselves are better listened to by not only just the United Nations and non-governmental organizations (NGOs), but also by their own Governments. Until now, in too many cases we have all focused on working for, rather than working with, the people. By better listening to and coordinating with Governments, NGOs and affected populations, and by building local capacities, we can ensure better ownership and participation and increase the chances for sustainable results.

The voices of NGOs, international as well as national, can and should be better listened to, for instance in the framework of the consolidated appeals process and the Common Humanitarian Action Plan. NGOs have often been present in crisis areas longer than the United Nations and may have a better knowledge of tailor-made solutions for the population at risk. The European Union wants to build on NGO experience and wants to further include them in humanitarian coordination. One way of doing so might be to ensure that discussions within United Nations

country teams include all Inter-Agency Standing Committee (IASC) partners whenever appropriate.

United Nations integrated missions are one of the symbols of improved and broadened coordination. The European Union accepts the concept of integrated missions as a more coherent and efficient approach to crises. However, it is clear that such missions include the risk of United Nations humanitarian action being perceived as part of a larger political agenda. The United Nations and its Member States must therefore organize integrated missions in such a way that there can be no misunderstanding about the independent, impartial and neutral character of the humanitarian part of a mission.

The security of humanitarian workers is at stake more than ever before. We have to find answers to the new security threats that we encounter in Iraq, Afghanistan and elsewhere. The changing security environment and the United Nations response to new security challenges are extremely important for the future of humanitarian assistance. We have seen an unprecedented increase in attacks on relief workers and in the number of casualties, and the United Nations and NGOs have been forced to suspend their operations in various countries.

The European Union welcomes the opportunity to discuss that issue in the General Assembly. We acknowledge that, although the situation is more threatening in some crises than in others, new threats need to be taken into account worldwide. We therefore welcome the work done by the United Nations to reassess the changing security situation and to come up with new answers. However, the EU would urge that risk management not turn into risk aversion. Risk aversion will lead to a reduction of the United Nations response capacity and, hence, affect its credibility.

It is our firm belief that respect for international humanitarian law is not only the best way to forestall the suffering of innocent people in conflict, but also the best protection for relief workers. For the safety of relief workers, it is essential that humanitarian action and responsibility be clearly separated from military or political actors. Member States should therefore ensure coherence between their humanitarian and military policies and actions, both inside the United Nations as well as outside, and should in general further the debate between humanitarian and military actors. In that respect, we welcome the new IASC reference paper on the civil-military relationship in complex emergencies.

I should now like to say a few words on financing. The 2004 mid-year report of the OCHA highlights a number of sobering trends in that respect. Thus far in 2004, less humanitarian financing seems to have been made available than during the previous two years. Unfortunately, a new major crisis was required to increase the overall level of funding. We call upon all countries and Governments to help alleviate humanitarian suffering and to transform their pledges into payments.

Even more important, from a coordination point of view, is the uneven distribution of funding, with some appeals being better funded than others or one sector being better covered than others. That uneven distribution justifies the United Nations call for more unearmarked funding, which in turn justifies our call for better and comparable needs assessments. The European Union, which is participating in the good humanitarian donorship process, is deliberately looking for ways to fund according to needs. In order to attract more funding, United Nations agencies should better coordinate, prioritize and ensure quality.

Every year natural disasters cause more victims and suffering than man-made crises. Moreover, there is reason to believe that in the future there will be an increase in natural disasters such as floods and droughts. For those reasons and others, the European Union welcomes the renewed attention given to disaster response by the Emergency Relief Coordinator. We also support the work of the secretariat for the International Strategy for Disaster Reduction, especially its endeavours to prepare for the Kobe conference on disaster reduction. We believe that the decision to focus the conference on capacity-building, preparedness, coping mechanisms and ownership is a right one, because that will best limit damage and loss of lives in the long run. It is time to divert attention from disaster relief to disaster reduction, and to give an important role to national and local Governments and to people in disaster-prone areas themselves.

The European Union recognizes that the international community is failing to invest sufficiently in disaster preparedness and disaster reduction. Investing in those areas might prove to be more cost effective than investing in disaster response. However, such investment should be accompanied by

Governments giving priority to disaster-reduction policies as well as to the implementation of those policies.

On the issue of disaster response, the European Union reaffirms the leading role played by OCHA, the United Nations Disaster Assessment and Coordination Standby Team and the International Search and Rescue Advisory Group. A collaboration arrangement between the existing United Nations instruments and a new European Union disaster response mechanism has recently been worked out. We look forward to seeing it implemented in the field.

Mr. Al-Nasser (Qatar) (*spoke in Arabic*): On behalf of the Group of 77 and China, we would like to express to the Secretary-General our deep appreciation for the documents submitted under sub-items (a) and (c) of agenda item 39, entitled, "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance", and in particular the report contained in document A/59/374, entitled "International cooperation on humanitarian assistance in the field of natural disasters, from relief to development".

The Group of 77 and China are of the opinion that the report in document A/59/374 constitutes a good basis for our discussion. The report was submitted pursuant to resolution 58/25, in which the Assembly requested the Secretary-General to submit a report on the progress made in improving the international response to natural disasters and to update the activities of the International Search and Rescue Advisory Group in response to resolution 57/150 and other subsequent United Nations resolutions on the issue.

The problems posed by natural disasters are of crucial importance to developing countries, given the long-term nature of those disasters and their adverse impact on affected populations and on the environment and on the social and economic development of affected countries. It is therefore crucial that we examine the measures that must be taken to improve the response capacity of affected countries and the assistance that the international community can provide in that regard.

In that connection, I would like to emphasize that the guidelines contained in the annex to resolution 46/182, adopted on 19 December 1991, constitute the main pillars for humanitarian assistance for the Group of 77 and China. As set out in that resolution, the principles of neutrality, humanity and impartiality are the guidelines for all measures undertaken in providing humanitarian assistance in natural disasters. It is essential that humanitarian assistance not be politicized and that it be provided at the request of concerned Governments. Those principles have been, and continue to be, the basis for all responses to humanitarian emergency requests for assistance. They should therefore constitute the criteria by which we measure the effectiveness of the assistance of the United Nations and other actors.

In that context, the primary responsibility for the organization and delivery of humanitarian assistance should fall on the States concerned. It is also fundamental to build strong capacities at the regional and national levels in order to strengthen cooperation between the United Nations and other humanitarian assistance organizations. The States whose populations are in need of emergency humanitarian assistance as a result of natural disasters should endeavour to facilitate the work of humanitarian organizations, in particular by safeguarding the delivery of food, shelter and medical help.

As the Secretary-General has pointed out in his report, the strengthening of the national response capacity remains one of the most effective means of carrying out rapid assessments of situations and coordinating the initial response, given that local responders are better able to overcome many obstacles that can hinder rapid response in such disasters. While it may not be possible to prevent natural disasters, early warning and preparedness could help mitigate their impact, particularly in terms of the human suffering caused by natural disasters.

The use of space-based and remote-sensing technologies is particularly important in preventing, managing and mitigating natural disasters. There is therefore an urgent need to promote access to and transfer of technology related to early warning systems to developing countries affected by natural disasters. It is also of paramount importance to strengthen national capacities, to transfer appropriate technologies and to develop early warning systems to avoid or minimize the impact of natural disasters.

The Group of 77 and China would like to emphasize the need to ensure more equitable

distribution of humanitarian assistance across humanitarian emergencies, including those of a protracted nature. We have noted that the assistance provided in emergency situations that enjoyed wide media coverage has been abundant. By contrast, as soon as the media lights fade, resources tend to become scarce. That is particularly so in certain areas when the more difficult task of recovery and reconstruction begins. In that regard, the Group of 77 and China would like to reiterate the importance of strengthening international cooperation, particularly through the effective use of multilateral mechanisms, to provide humanitarian assistance during all phases of a disaster, from relief to mitigation to development, including through the provision of adequate resources. The Group of 77 and China would also like to underscore the importance of the international community's fully taking into account the specific needs of least developed countries facing natural disasters.

The Group of 77 and China once again reaffirm that voluntary contributions for humanitarian assistance should not impact negatively on the resources allocated to international cooperation for development.

In accordance with the practice in previous sessions, the Group of 77 and China will submit a draft resolution on international cooperation in humanitarian assistance in the field of natural disasters, from relief to development. The Group of 77 is very pleased at the growing support that that draft resolution has received and looks forward to the growing international consensus around that issue this year. That consensus constitutes a message of hope to those affected by natural disasters every year.

Ms. Rouse (Grenada): I have the honour to speak on behalf of the member States of the Caribbean Community (CARICOM) on this agenda item. CARICOM, while aligning itself with the statement made by the representative of Qatar on behalf of the Group of 77 and China, would like to make the following additional remarks.

CARICOM would like to thank the Secretary-General for his reports on this agenda item and also Mr. Jan Egeland, Under-Secretary-General for Humanitarian Affairs, for his presentation to the General Committee yesterday.

The Caribbean region has been devastated by hurricanes in the past few months. From Trinidad and Tobago in the south to the Bahamas in the north, hardly any State has been left untouched. The Bahamas and Cuba were each struck by more than one hurricane, while Jamaica suffered extensive property damage and economic losses. However, the two countries in our region that were most severely affected were Grenada and Haiti.

In Haiti, extensive flooding caused by Hurricane Jeanne in Gonaives resulted in the loss of more than 1,900 lives and affected 90 per cent of the population in that city. Gonaives became completely cut off, and there were widespread shortages of food, water, shelter and other basic necessities of life. Fortunately, as we all know, the United Nations already had a strong presence in Haiti, and the various agencies were able to mobilize themselves quickly and provide essential supplies of food and water as well as emergency shelter for the affected population.

Grenada suffered major destruction as a result of the passage of Hurricane Ivan on 7 September and experienced a most horrifying period thereafter. Neighbouring Caribbean nations reached out helping hands to Grenada, but the magnitude of the devastation in that country is beyond the capacity of the Caribbean to address satisfactorily by itself.

In a matter of hours, Grenada went from being a middle-income developing country with a well-run administrative State machinery to a ravaged land. It is ironic as well as lamentable that it took this disastrous hurricane season to reinforce the point that the small island developing States have been making for some time — namely the need for special and differential treatment because of, among other things, our vulnerability to natural disasters.

The United Nations agencies in the Caribbean responded quickly and efficiently to the regional emergencies. The Office for the Coordination of Humanitarian Affairs (OCHA) performed its coordinating role commendably, while the United Nations Development Programme (UNDP), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Food and Agriculture Organization of the United Nations (FAO) and the United Nations Children's Fund (UNICEF) also reacted to the immediate needs of the people.

The Flash Appeal organized at United Nations Headquarters on 24 September, targeted at helping Haiti and Grenada, was instrumental in highlighting

the problems as well as procuring assistance for these two nation-States.

We are hopeful that the monies pledged to both countries by the Flash Appeal as well as the donors' conference in Washington, D.C., will be disbursed as quickly as practicable. When the fabric of a country is destroyed, help is needed immediately — not only to provide emergency aid to the population, but also to start the reconstruction process. CARICOM proposes that the United Nations should seek to enhance the means of accessing and utilizing funds promised by the donor community to countries in crisis.

We believe, based on the Grenada experience, that it is crucial for the United Nations agencies in the region to have a mechanism that will enable a more timely implementation of programmes and a more rapid disbursement of funds.

Given the importance of this issue, we would also like to call for enhanced cooperation and collaboration between the United Nations agencies in the Caribbean and the Caribbean Disaster Emergency Response Agency (CDERA), which is the agency responsible for disaster management in the Caribbean.

The United Nations and its agencies have provided, over time, critical help for CARICOM countries affected by natural disasters. UNDP has supported disaster mitigation, capacity-building and institutional strengthening in support of Montserrat's post-emergency resettlement programme. CARICOM is grateful for the support received over time, and this statement is intended to reflect not only that gratitude but also the hope that the suggested mechanism of enhanced cooperation and collaboration with our regional agencies will benefit the peoples in our region.

Mr. Wali (Nigeria): Let me start by expressing my country's profound condolences to the Palestinian people on the untimely death of their leader, Chairman Yasser Arafat. May the Almighty God be with the Palestinian people, and may light perpetual shine upon their fallen hero.

Turning to the issue before us today, and speaking on behalf of the African Union, I should like to welcome the ongoing efforts of the United Nations aimed at strengthening the coordination of emergency humanitarian assistance. For us in Africa, the unenviable record of conflicts on the continent underscores the importance attached to policy coherence and coordination among both donors and United Nations agencies in the delivery of humanitarian assistance. The pivotal role of the Office for the Coordination of Humanitarian Affairs (OCHA) cannot be overemphasized.

We in Africa continue to lament the existence of a serious gap between relief and development, which must be addressed in order to ensure a smooth transition from humanitarian emergency assistance to post-conflict reconstruction and development. We continue to lament also the lack of adequate local capacities to ensure that the long-term needs of the affected population continue to be addressed.

The past decade has witnessed increasingly violent conflicts and complex humanitarian challenges. In the face of these realities, the African Union has undertaken institutional and political reforms to address those challenges on the continent in the framework of its Constitutive Act and the New Partnership for Africa's Development (NEPAD). The efforts of the African Union in Burundi and, more recently, in the Darfur region of the Sudan, through the establishment of the Ceasefire Commission and the expanded African mission in the Sudan, are clear demonstrations of the renewed commitment of African leaders for the African Union to assert itself on the continent.

It is therefore with great anticipation that we await the release in a few weeks of the report of the High-level Panel on Threats, Challenges and Change, with the expectation that many of the issues highlighted in today's debate will be duly addressed.

In discussing this important agenda item, one cannot but be reminded of the tragic events which unfolded in Rwanda in 1994 and which clearly required emergency humanitarian intervention on the part of the international community. The consequences of our failed efforts continue to haunt us even today through the eyes of the survivors, such as orphans, widows and victims of sexual violence, as well as people afflicted with HIV/AIDS.

Last year, in this very Hall, the Assembly, through a well-celebrated commemorative ceremony, renewed the hope of both victims and survivors by sending a clear message that the international community has not forgotten, and will not forget, the tragic events of Rwanda, and that, more importantly,

that the international community will ensure that such heinous acts will never again be repeated in Africa or in any other part of the world.

It will be recalled that it was on the basis of an African Union resolution that this world body unanimously adopted resolution 58/234, by which it designated 7 April as the International Day of Reflection on the 1994 Genocide in Rwanda. In the same resolution the Assembly

> "Encourages all Member States, organizations of the United Nations system and other relevant international organizations to consider promoting implementation of the recommendations contained in the report of the Independent Inquiry into the actions of the United Nations during the 1994 genocide in Rwanda".

Building on that General Assembly resolution, the Executive Council of the African Union, at its session in Addis Ababa last July, adopted Decision EX.CL/Dec.154(V) in which it requested the African Union and the United Nations to implement the recommendations contained in the reports of the International Panel of Eminent Personalities commissioned by the Organization of African Unity, and those contained in the report of the Independent Inquiry into the actions of the United Nations during the 1994 Rwanda genocide, commissioned by the Secretary-General — also known as the "Carlsson report".

It is therefore in that connection that I wish to bring to the fore of this debate today, under this agenda item — which we in the African Union believe to be the most appropriate forum — and to advocate the plight of the survivors of the 1994 genocide in Rwanda, particularly the orphans, widows and victims of sexual violence. The African Union is convinced that effective and well-resourced programmes to assist the survivors would not only restore their dignity but would help promote reconciliation and healing in Rwanda.

At this juncture I should like to express, on behalf of the African Union, appreciation to the donor community and United Nations agencies for the assistance provided to the Government and people of Rwanda since the 1994 genocide.

The African Union intends to table a resolution under this agenda item in the weeks ahead, aimed at ensuring that adequate assistance is directed towards support for the genocide survivors in Rwanda. The African Union would appreciate the support of the international community, as was the case last year.

Mr. Zhang Yishan (China): The Chinese delegation would like to thank the representative of Qatar for the statement he delivered on behalf of the Group of 77 and China. The Chinese delegation also wishes to thank the Secretary-General for the reports he has submitted under this item and contained in documents A/59/93, A/59/332 and A/59/374, among others. China also takes this opportunity to express its appreciation to the Office for the Coordination of Humanitarian Affairs (OCHA), which under the leadership of Under-Secretary-General Jan Egeland has made great efforts to coordinate the humanitarian assistance of the United Nations.

My delegation has observed that in his report on strengthening the coordination of emergency humanitarian assistance of the United Nations (A/59/93), the Secretary-General cited many facts and figures in his overview and assessment of such assistance for the past year. The report noted that natural disasters remain a global threat and that frequent armed conflicts and the plight of tens of millions of refugees and internally displaced persons, coupled with the threat posed by the rampant spread of HIV/AIDS, have made humanitarian assistance even more challenging.

The increase in recent years in the diversity of humanitarian actors, including armed forces, non-governmental organizations and private sector entities, highlights the need to strengthen coordination. It should be emphasized that in providing humanitarian assistance to the affected countries, the United Nations and the international community should be guided by the principles of humanity, neutrality and impartiality established in the annex to General Assembly resolution 46/182, and that such assistance should be provided at the request and with the consent of the affected country, whose wishes, culture and customs should be respected.

Natural disasters and complex emergency situations have led to an increased demand for humanitarian assistance. Adequate funding is the prerequisite for carrying out assistance activities. The United Nations Inter-agency Consolidated Appeal Process has played an important role in humanitarian

funding. However, we are concerned that in recent years there has been a steady decline in resources mobilized through that channel and hope that OCHA will step up its efforts in that respect. At the same time, we appeal once again to the donor countries that are able to do so to make greater contributions to humanitarian assistance.

The safety and security of United Nations humanitarian personnel has become a subject of growing concern. Since last year, United Nations personnel engaged in humanitarian assistance have continued to come under attack and have even been taken as hostages and detained for long periods. In the bomb attack on the United Nations office in Iraq last year, 24 United Nations personnel, including the Secretary-General's Special Representative for Iraq, Mr. Sergio Vieira de Mello, made the ultimate sacrifice, while many others were injured. The United Nations suffered devastating losses in that incident. The Chinese delegation strongly condemns such terrorist acts.

In August this year, China acceded to the Convention on the Safety of United Nations and Associated Personnel. Following that, the Chinese Government has taken part in activities that promote the safety of United Nations personnel pursuant to the provisions of the Convention. China will work with other States parties in fulfilling its treaty obligations.

China is a disaster-prone country that is frequently hit by earthquakes, floods, droughts and other disasters, suffering heavy losses as a result. Last year, China suffered a direct economic loss of over $20 billion due to the effects of natural disasters. In spite of that, the Chinese Government has, within its capabilities and through bilateral channels, provided emergency and humanitarian relief goods such as food, medicines, mosquito nets, tents and blankets to developing countries affected by disasters. Last year, China's rescue team joined the search and rescue efforts in Bam, Iran, in the aftermath of an earthquake. These assistance activities have fully demonstrated our compassion for, and solidarity and friendship with, the affected Governments and peoples.

The Chinese delegation supports the proposal by the Secretary-General with regard to the transition from relief to development in humanitarian assistance for natural disasters. The proposal will help increase the capacity of the affected countries in their rehabilitation and reconstruction efforts.

In areas such as disaster management and improving search and rescue capabilities, we are ready to share our experiences and information with other countries with a view to enhancing international cooperation in those fields.

In conclusion, the Chinese delegation would like to thank OCHA for the attention and assistance it has given to disaster-affected areas in China over the past year. We offer our support for the recent initiative by Mr. Egeland on building partnerships with Asian countries in order to enhance international cooperation in disaster relief.

Mr. Baum (Switzerland) (*spoke in French*): Switzerland attaches particular importance to the discussion on strengthening the coordination of humanitarian aid. All Member States and observers are thus given the opportunity to undertake a necessary exchange of views on the essential areas of United Nations action. We note that the general trends analysed by the Secretary-General in his report have been confirmed by the facts to date. Allow me to refer to some of the cases of greatest concern, in which awareness of the problem and the will to act remain slow, in the view of my delegation.

First, humanitarian organizations' unconditional access, without obstacles, to people in distress must be guaranteed. We must find ways of improving, in a tangible way and without delay, the protection of civilian populations, particularly women and children. We also need to strengthen cooperation between the various bodies of the United Nations, while at the same time respecting their individual mandates.

Secondly, with regard to the management of the security system of the United Nations as a whole, the report of the Secretary-General correctly stresses the shortcomings of the system currently in place, which does not allow the Organization to effectively deal with all of the challenges that it must face. We would like to point out that it is, first and foremost, the host Government that must ensure that security is sufficient. Moreover, we see that the humanitarian imperative to ease suffering wherever it occurs has led agencies and humanitarian organizations to increase their exposure to risk, at the cost of the unacceptable loss of many lives. In this respect, we stress the importance of basic and ongoing training in matters of security at all levels

and throughout the United Nations system, and we would urge that security system management be included in the regular budget of the Organization. We would also urge that attacks against humanitarian staff be condemned with the utmost firmness, and that those guilty be punished according to national provisions and international obligations, such as the provisions of the International Criminal Court (ICC).

Thirdly, we are convinced that one of the most effective ways to improve in a sustainable way the protection of civilian populations, as well as the security of staff, property and buildings of humanitarian organizations, involves respecting, without exception, the provisions of international humanitarian law. Both State and non-State parties must at all times respect and ensure the respect of every provision of the Geneva Conventions. Switzerland calls upon all States that have not yet done so to ratify the additional protocols to the above-mentioned conventions, as well as the Rome Statute of the ICC.

We would like to reiterate the singular nature of humanitarian action, which must remain based on universally recognized principles of impartiality, neutrality and independence. In that respect, two concrete issues merit our attention.

First, protection and assistance activities must be planned, implemented and assessed by civilian humanitarian staff, and in that connection we invite these humanitarian staff with a specific protection mandate to strengthen that mandate. We also have to take due account of the specificity of humanitarian action in setting up the so-called integrated missions of the United Nations.

Switzerland attaches high priority to the qualitative improvement of the coordination of international humanitarian action by means of the Inter-Agency Standing Committee, particularly by developing joint methodologies for assessing needs, by establishing strict behavioural norms for humanitarian staff and by integrating HIV/AIDS awareness in the agendas of humanitarian organizations. We particularly welcome the recent conclusion and current dissemination of the operational guidelines for resident coordinators and country teams for the implementation of a collaborative approach in dealing with internal displacement.

Finally, we support the Secretary-General's recommendations according to which a direct conceptual link must be established between, on the one hand, the response in the case of natural and man-made disasters, and on the other, the strengthening of prevention and preparation activities in emergency situations. National authorities bear the primary responsibility in those efforts and that must be stressed, as must the need to involve all stakeholders in preparation and prevention, if we are to attain sustainable results. The World Conference on Disaster Reduction, which will be held in Kobe in January 2005, represents a unique opportunity to increase awareness at all levels.

Mr. Siv (United States): I thank the Secretary-General for his thorough and wide-ranging reports on humanitarian assistance. He has recognized our successes as an international community and has also pointed out where we continue to fall short of expectations.

Last year, I optimistically spoke in the Assembly of a glimmer of hope for the future of the Sudan. While I still hope that peace is possible, I despair at the continuing humanitarian tragedy in Darfur. Villages have been burned and hundreds of thousands displaced. Women have been raped. Men, women and children have been killed. Civilians have been taken hostage. Both parties to the conflict have obstructed humanitarian access. The Sudanese Government has forcibly relocated civilians from camps for internally displaced persons. This is in direct contravention of international humanitarian law and Security Council resolutions 1556 (2004) and 1564 (2004).

United Nations agencies, non-governmental organizations, the International Committee of the Red Cross and others are carrying out admirable work to save lives in Darfur. The United States has contributed over $300 million in humanitarian aid to Darfur and eastern Chad since the beginning of the conflict. This already exceeds our pledges for the entire fiscal year, and we will give more. We applaud the decision of the Security Council to meet in Nairobi to highlight the need for the conflicting parties in the Sudan to restore peace to the country. We continue to support the work of the African Union and its efforts to expand its monitoring presence in Darfur.

However, we must work together to provide far better protection for civilians. A lack of coordination

among United Nations agencies on the ground in emergency situations continues to plague humanitarian efforts in the Sudan and elsewhere. We encourage the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and United Nations agencies to establish clear leadership in assisting and protecting internally displaced persons. We commend the establishment of the Inter-Agency Internal Displacement Division within OCHA. That will provide clear leadership in meeting the unique humanitarian needs of the internally displaced.

In addition to United States financial support for the Division, last month the United States Agency for International Development finalized its policy on assistance to internally displaced persons. It is our intention to ensure that that policy statement will both reaffirm our commitment to meeting the needs of such persons and enhance the coordination and reliability of the response, both within our Government and in the greater humanitarian community.

The United States applauds the work being done by humanitarian workers throughout the world, who bring hope and life to people in need. We lament the loss of two NGO staff in the Sudan during the past month. The United States appreciates the attempt by United Nations agencies to balance the crucial need to provide for the safety and security of humanitarian personnel with the need to reach victims of emergencies. That and other challenges have led my country to contribute to the independent evaluation of the impact of integrated humanitarian aid missions that is being jointly managed by OCHA and the Department of Peacekeeping Operations. We look forward to learning from the results of that study in early 2005.

As we begin humanitarian negotiations during the fifty-ninth session of the General Assembly, let us take steps aimed at alleviating humanitarian crises and reducing the effects of natural disasters throughout the world.

Mr. Løvald (Norway): The concept of integrated missions for United Nations peace operations has a number of important dimensions. In my intervention today, I will focus on the humanitarian dimension, closely linked, as it is, with the safety and security of humanitarian personnel.

Norway supports the integrated-mission approach. We see it as a way of creating greater coherence in the activities of the United Nations, making it more effective in managing crises, in restoring peace and security and in creating stability and good governance in failed or failing States. The military and civilian police elements of such missions have a crucial role in establishing security, which is an essential precondition for the delivery of humanitarian assistance.

We have already gained some experience in mission integration, although we lack a clearly defined model. It is probably neither possible nor desirable to establish a rigid organizational template for integrated missions. Mission design must be adapted to the particular circumstances in a given area. Integration provides a sense of direction, but it needs to be practised wisely if we are to make full use of the skills and competencies of the various parts of the United Nations system in the humanitarian, development and peacekeeping areas.

The recent experience of integrated missions in a country such as Liberia has caused concern in the humanitarian community. While some of the tension observed may be specific to that situation, the debate has brought to the surface the inherent dilemma of how to maximize the gains from integration while minimizing its costs to the humanitarian role of the United Nations. Several questions need to be asked. Is it at all possible to have a clear command and control structure while at the same time separating humanitarian or development operations from the political and military elements? Should integrated planning at the Headquarters level be the upper limit of our ambition? If not, how can we ensure that the necessary space for humanitarian action is maintained within an integrated mission framework in field operations?

We appreciate the Organization's awareness of the urgent need to profit from lessons learned and to identify best practices. Norway would like to commend the expanded core group of the Executive Committee on Humanitarian Affairs for initiating a joint independent study of issues relating to the interface among peacekeeping, humanitarian and development activities in integrated missions. As a major humanitarian actor, the United Nations must itself ensure that humanitarian action is in line with the fundamental principles of impartiality, independence and neutrality. The Organization cannot risk compromising those principles by having humanitarian

action too closely associated with a military or political mission.

In our view, the more active a conflict is, the stronger is the case for maintaining a clear and visible distinction between humanitarian agencies, on the one hand, and the political and military parts of a United Nations operation, on the other. The way in which the parties involved perceive that distinction has a direct bearing on the security of humanitarian personnel. Protection measures can certainly be taken to increase the security and safety of humanitarian workers, but such measures may also reduce the workers' access to those who need their protection and assistance. The support and confidence of the local population and of the parties to the conflict have traditionally been the best protection for humanitarian workers. The new safety and security measures are not likely to compensate for the loss of such legitimacy.

The serious deterioration in the situation of humanitarian workers in places such as Afghanistan and Iraq has made them deliberate targets — "soft targets" — for actors with violent political agendas. In that respect, this year's report of the Secretary-General (A/59/93) is no less alarming than last year's, which pointed out "a disturbing trend of blatant disrespect for humanitarian work" (*A/58/89, para. 11*). The international community cannot ignore those serious challenges.

There is a need for greater awareness of the practical dilemmas and risks that are likely to arise in the interface between military and humanitarian action in the field. Norway appreciates the work done in the United Nations to develop generic and specific guidelines for such interaction. The focus should now be on bridging the gap between those guidelines and military doctrine and practice.

When military personnel perform humanitarian or reconstruction projects to win over the hearts and minds of the local population, there is a risk of blurring military and humanitarian roles, which can give rise to misconceptions regarding humanitarian work. In our view, the United Nations must organize its missions in such a way that they can contribute to the maintenance and, where necessary, to the restoration of a humanitarian space. That is no less important when humanitarian action takes place alongside non-United Nations peacekeeping or multilateral forces.

Norway has been a staunch supporter of a strong United Nations role in the coordination of all humanitarian action in a crisis area. We must not get to the point where the humanitarian community outside the United Nations prefers not to be associated with a United Nations mission because the mission may be perceived as undermining basic humanitarian principles. Integrated missions could drive a wedge between United Nations and non-United Nations humanitarian agencies, which could be a serious setback to the Organization's lead role in the humanitarian field. Weakening international coordination would also have a broad negative impact on the humanitarian cause.

The Consolidated Appeals Process (CAP) plays a key role in enhancing the position of the United Nations in the coordination of humanitarian assistance, but that is contingent upon the involvement of all relevant actors. In cases where the CAP is replaced by mechanisms that also address transitional and long-term issues, it is vital that the development of a common humanitarian action plan be inclusive. A common understanding of the humanitarian context, of needs assessments and of the roles and responsibilities of all humanitarian actors is essential if coordination is to be effective.

We welcome the forthcoming United Nations launch of a work plan for the Sudan for 2005. That is a positive step but, in the present phase of the peace negotiations and peace planning, it is important to avoid duplication in the planning and coordination processes. It is therefore critical that the United Nations work plan be produced and launched in partnership with all relevant actors.

The future of the concept of integrated missions depends upon whether such missions can in practice reconcile the fulfilment of the various mandates of their component parts with a more coherent United Nations response in the field, thereby producing the desired impact on the overall peace process. A more coherent response is not in and of itself a sufficient criterion for judging the success of an integrated mission. The manner in which the humanitarian component is integrated has broad ramifications that extend beyond the peace process in question. An open and honest debate on those issues should be encouraged.

Mr. Ravi (India): We would like to thank the Secretary-General for the reports presented under this item and for the useful introduction provided by the Under-Secretary-General of the Office for the Coordination of Humanitarian Affairs.

We associate ourselves with the statement made by the representative of Qatar on behalf of the Group of 77 and China.

Before making my substantive comments on the agenda item under discussion today, I should like to pay tribute to the memory of President Yasser Arafat, leader of the Palestinian people for almost four decades. I had the privilege of meeting Yasser Arafat during his visit to India in the mid-1980s. Like millions of others around the world, I too was struck by his charismatic leadership. On behalf of India, and on my own behalf, I join others in conveying condolences to the Palestinian leadership and the members of the bereaved family.

The number of countries requiring humanitarian assistance as a result of complex emergencies has remained constant over the past year. The overall requirements for humanitarian assistance remain at approximately the same level as in previous years. We note with concern, however, that the pattern of funding humanitarian activities remains uneven, leaving some countries substantially under-financed. The case of the Central African Republic, which received only 5 per cent of its requirements in 2003, is the most glaring example of that. That underscores the importance of allocating resources fairly to all countries in need. The United Nations should be seen to be above humanitarian favouritism and seen as not forgetting those humanitarian emergencies that no longer have the benefit of the so-called CNN effect. In order to do that, the United Nations must avoid regional imbalances and uneven funding of humanitarian needs. Only then will universal trust in the United Nations system be preserved.

The allocation and availability of resources for humanitarian assistance remain matters of vital concern. We therefore support the Secretary-General's recommendation inviting donors to continue efforts to make available increased amounts of earmarked funding for relief assistance. We also support the need for some predictability in the funding provided for humanitarian activities. However, situations of humanitarian emergencies are mostly unpredictable. How funding can be provided for such activities on a totally predictable basis therefore remains unclear.

The problems associated with the way humanitarian assistance and humanitarian actors are perceived have emerged as an area of concern in recent years. Continuing attacks on humanitarian workers in some situations of conflict have caused those questions to be of growing concern to the United Nations and the international community. Attacks on humanitarian personnel must be condemned as unjustified.

The report also notes that warring parties must recognize the neutral and impartial nature of humanitarian action. That is understandable. However, for that to happen, United Nations humanitarian action should not only be neutral, but also be seen to be neutral. We would underscore the need for broad transparency, accountability and a democratic intergovernmental process of debate and agreement. Humanitarian assistance should strictly abide by the basic principles of neutrality, humanity and impartiality, as set out in Assembly resolution 46/182. Humanitarian action should also be apolitical and offered at the request of the recipient Government. Those principles should also hold good for integrated missions. The concern of the Secretary-General on the question of access in providing humanitarian assistance is well placed. However, the issuance of visas, travel permits and custom clearances fall within the purview of the national Governments.

Giving humanitarian action a local face could be helpful in conveying the right message behind the humanitarian action. Humanitarian assistance personnel should in the main be hired with the principle of geographical proximity in mind and with due attention paid to the importance of the familiarity of the personnel with the location and nature of a given crisis. That could be done by including personnel who belong to the area or who have prior experience with similar emergencies. Both the efficiency and the perception of humanitarian action might be improved in that way. The report also speaks of the need for humanitarian personnel to be sensitive to local customs and traditions. Local resources, procured locally or from the neighbourhood, and the use of locally hired transport would be seen as a positive measure by recipients of humanitarian assistance, apart from building capacity locally and reducing time delays. Regional approaches, where possible or applicable, might also be useful.

For humanitarian assistance to be effective in situations involving a multiplicity of actors, the coordination function should not be allowed to overwhelm humanitarian action on the ground, lest the former should become the most important preoccupation of the humanitarian effort. Where such coordination becomes necessary, the national Government would be best placed to coordinate humanitarian assistance. We would also underscore the need to fully respect the principle of national sovereignty.

Mr. Haraguchi (Japan): Although there have been some positive developments in the field of humanitarian assistance, such as the repatriation of a large number of refugees, serious humanitarian crises and disaster spots still remain — and are in some cases even increasing in various parts of the world. It is really moving to hear of the assistance activities being carried out by brave and kind-hearted humanitarian workers in those places. However, it is becoming all the more urgent for us to find an effective answer to the question of how we are to maintain humanitarian assistance activities in high-risk environments in which humanitarian workers are increasingly exposed to danger.

We believe it is time to re-examine the basic objectives of our humanitarian assistance under the current circumstances. Given the enormous needs and the limited resources available, I am afraid our humanitarian assistance would not be sustainable, if its basic objective were simply to perpetually provide people in distress with the necessary assistance. In our view, our humanitarian assistance must be geared toward creating a situation in which people can live without assistance. Let me elaborate a little on that point.

We believe that a proper combination of ownership on the part of the people in need and partnership on the part of the outside supporters is the key to creating a situation where humanitarian assistance eventually becomes unnecessary. The sense of ownership derives from the fact that the people themselves own their lives, dignity and future; partnership on the part of the international community stems from the belief it has the duty to help those in dire straits who are trying to help themselves. Our humanitarian assistance should not become a one-way transaction, with charity going from donors to recipients. In our view, it should be based on joint undertaking between donors and recipients as equal partners. We have learned from our experience that the proactive participation of recipients in the planning and implementing phases of humanitarian assistance makes that assistance more effective.

For example, there have been cases in which we assigned traditional leaders a central role in the management of refugee camps at the suggestion of the refugees themselves. Those leaders turned out to be quite successful. I believe that that kind of approach is very much in line with the concept of human security that Japan has been promoting, one that tries to protect people in distress and encourage them to develop a sense of ownership of their destiny and to empower them, in response to their ownership, through partnership. Of course, that approach has to be promoted in close collaboration with the Government of the country concerned.

There are several points that I consider important in making this approach successful. The first is the need to expand the base of the partnership. The number of actors should be increased to include as many as possible of those who participate in humanitarian assistance activities on the basis of shared humanitarian considerations. Humanitarian assistance need not and should not be the monopoly of developed countries. South-South cooperation should also be explored. That is why Japan enthusiastically supports Under-Secretary-General Jan Egeland's efforts to expand partnership, particularly with Asian countries.

The second is the need to go down into the field. To carry out humanitarian assistance effectively, we always have to be attentive to the concrete needs of people on the ground, unfettered by prejudice. In that context, we attach importance to frank dialogue with people in need. By doing so, we believe we will be able to understand the real, specific and concrete needs of people in distress and foster their sense of ownership. For example, it was because of such frank dialogue that Japan started contributing to the school feeding programme of the World Food Programme. We found that the programme very well matched the actual needs of the people because it benefited the local community three times: by purchasing agricultural products from the local community, by providing meals to children at school and by giving them additional meals to eat at home.

Thirdly, in order to provide humanitarian assistance that leads to reconstruction, development and, eventually, a durable solution to a humanitarian crisis, a holistic approach is needed, with close collaboration among those engaging in conflict prevention, peace-building and development. It is essential to overcome the so-called gap between emergency relief and reconstruction. Recognizing that, Japan is now, for example, undertaking a comprehensive regional development programme called the Ogata Initiative in one region of Afghanistan. That programme aims at making a seamless transition from relief to development. In adopting such a holistic approach, we believe it is important that the experience and know-how of the United Nations country team be fully respected. Close coordination between peacekeeping operations and humanitarian and reconstruction efforts is indispensable, and the activities of a country team under a resident coordinator or a humanitarian coordinator should be fully utilized in such coordinated efforts, with due consideration of the costs and benefits.

So far, I have been discussing assistance to the victims of man-made miseries. However, we should not forget that there are also natural disasters such as floods, earthquakes, volcanic eruptions, droughts, typhoons, hurricanes and cyclones. Sometimes, hundreds of thousands of people lose their lives or their livelihoods. We also need to be prepared to mitigate the damage caused by natural disasters. Japan is to host the United Nations World Conference on Disaster Reduction in Kobe next January. At the conference, we hope to discuss desirable ways of sharing the experiences and know-how of each country with a view to strengthening the resilience of nations and communities in the face of disasters and ways of fostering partnership among the participating countries, international agencies and stakeholders.

We need to discuss humanitarian principles more actively at the United Nations, with a view to providing appropriate guidance to the relevant humanitarian actors. But it is meaningless to repeat the same discussions in the General Assembly and the Economic and Social Council. One idea would be to give each organ a different focus. For example, the Economic and Social Council might aim at providing guidance to United Nations agencies in discharging their humanitarian mandates, and the General Assembly might strive to discuss fundamental values to be shared in humanitarian assistance. That is just one idea. We welcome other innovative ideas on revitalizing our work in the field of humanitarian assistance and hope to deepen our discussion in order to achieve more effective humanitarian activities.

Mr. Al-Shamsi (United Arab Emirates) (*spoke in Arabic*): At the outset, I would like, on behalf of the United Arab Emirates, to extend my sincerest condolences to the brotherly people of Palestine, its leadership and the family of the late President Yasser Arafat. We reaffirm the support of the United Arab Emirates for the Palestinian people and leadership in their efforts to realize their legitimate rights and goals of establishing an independent State in Palestine.

I associate myself with the statement made by the representative of Qatar on behalf of the Group of 77 and China. I also thank the Secretary-General of the United Nations for his valuable report on the topic of humanitarian assistance. We fully agree with the conclusions of the report on the tragic humanitarian conditions of millions of people around the world and the challenges and dangers facing relief assistance operations.

The United Arab Emirates would like to express its appreciation for the work done by the United Nations in the field of humanitarian and relief assistance and wishes to underline the principal role of the United Nations in monitoring and evaluating humanitarian and relief assistance. We support the recommendations contained in the report of the Secretary-General, especially those related to helping poor countries build their national institutional capacities and to establishing the necessary coordination among all humanitarian assistance organizations in order to meet the challenges and dangers posed by natural disasters and wars, by means of an international strategy to deal with natural disasters at all stages, from early warning to relief, reconstruction and development.

In that context, we urge the donor countries and the international financing institutions to increase their contributions in order to fund humanitarian and relief activities in fulfilment of the principles of international solidarity and interdependence, and the United Nations Charter. In the meantime, we emphasize the importance of strengthening the authority and role of international law in settling disputes and eliminating the causes of

armed conflicts, which all cause humanitarian disasters. We also reaffirm the importance of taking the necessary measures to protect humanitarian personnel and to compensate them for any losses they incur.

The report of the Secretary-General outlines the tragic humanitarian situation in the occupied Palestinian territories, where more than 3,000 innocent civilians were killed as a result of continuing random military attacks by the Israeli occupation forces. The report also refers to the curfews and closures imposed by the Israeli occupation forces, which have resulted in huge losses to the Palestinian economy.

Israeli practices included the construction of an expansionist wall, land confiscation and the destruction of wells, all of which led to an increase in the levels of unemployment, poverty and internally displaced persons. The latter have reached 16,000 persons, unemployment has reached 30 per cent and those living under poverty levels amount to nearly 63 per cent. Twenty-two per cent of Palestinian children also suffer from malnutrition. On the basis of this we again call upon the international community to intervene decisively, to end the humanitarian tragedy that the Palestinian people are living under, to force Israel to cease immediately its military attacks and to end the policy of closures and siege of Palestinian towns and cities.

The United Arab Emirates notes with grave concern the difficulties and dangers that personnel working in delivering humanitarian assistance are facing, particularly the Palestinians who face problems in providing this assistance because of the violence and the constraints of Israeli forces restricting mobility. We call upon Israel to provide protection for those who work in humanitarian assistance organizations, and to facilitate the work in accordance with international law and treaties.

In recognizing the importance of humanitarian and development assistance and of promoting security and peace in the world, the United Arab Emirates has fulfilled all of its financial obligations to the United Nations humanitarian assistance activities, the last of which was a contribution of $1,028,000 to reconstruction next year, as well as providing $30 million for reconstruction in Afghanistan and $215 million for reconstruction in Iraq. Aside from that, the United Arab Emirates provided direct development assistance to many developing countries through its national organizations, such as Abu Dhabi Development Fund, which provided a total assistance of $29 billion in 2002 to 56 countries all over the world. The commitment of the United Arab Emirates to provide emergency, long-term humanitarian assistance to areas affected by natural disasters and armed conflicts around the world was manifested in many activities, such as the operation of Emirates Solidarity, which succeeded in removing 60,000 landmines from 5 million square metres in South Lebanon and turned them into arable and inhabitable lands. The United Arab Emirates Red Crescent Society is the largest non-governmental agency in the country engaged in providing relief and foreign assistance to affected countries. It has provided a total assistance of $1 billion to more than 95 countries during the last 4 years. The United Arab Emirates Red Crescent Society provides directly and through the United Nations humanitarian agencies, relief and development assistance to countries affected by armed conflicts as well as to post-conflict countries, the latest of which was the reconstruction project of Jenin refugee camp. The Society is also preparing to build 200 houses in Rafah in Gaza. The Dubai Relief City, which was established in 2003 for the purpose of providing integrated services and facilities to national and international humanitarian organizations, is a clear manifestation of our commitment to support international efforts aimed at coordinating and enhancing global humanitarian assistance. Preparations are presently underway for the second Dubai International Conference on International Aid in April 2005. I also look forward to the World Conference on Disaster Reduction, which will be held in Japan in January 2005. We hope it will lead to strengthening international efforts aimed at mitigating natural disasters around the world.

Mrs. Barghouti (Palestine) (*spoke in Arabic*): We learned today with great sadness of the passing of our President and leader, Yasser Arafat. We very much appreciate this gesture of holding a meeting this afternoon at the General Assembly during which all delegations will be able to present their condolences.

We would have hoped to be able to present to this Assembly a more optimistic and positive picture of the economic, social, cultural and environmental situation in the occupied Palestinian territories, including East Jerusalem, while examining the item relating to assistance to the Palestinian people. But, unfortunately,

the situation of occupied Palestine is deteriorating day by day. We are risking an economic and humanitarian catastrophe, if the international community does not find rapid solutions in all areas and at all levels to put an end to this ongoing tragedy.

It is clear that the root causes for the deterioration in the current situation in occupied Palestine are essentially the continuing Israeli occupation, the creation of barriers, blockages, colonial expansionism, confiscation of land and the building of the expansionist wall, and the resultant confiscation of thousands of dunams of land and the ruining of the lives of thousands of Palestinians. Since September 2000, Israel has intensified its bloody war against the Palestinian people. That has led to about 3,500 deaths and 50,000 injuries; a lot of these people are permanently injured and cannot lead normal lives. Furthermore, the occupation forces have bombarded and destroyed a great number of public and private buildings, uprooted trees, and intentionally damaged the infrastructure, including roads and water and sanitation networks.

These Israeli practices against the Palestinian people are considered war crimes and flagrant violations of the Fourth Geneva Convention, which requires that the international community renew its efforts to put pressure on Israel to end the occupation and to apply its commitments in conformity with the provisions of the Convention. Israel should abide by the international will, which is asking it to stop its aggression, its destruction and its racist, expansionist policy. In this respect, we must underscore the individual and collective responsibility of the Contracting Parties to the Convention to ensure that the provisions of the Convention are respected and implemented in all areas.

The report of the Secretary-General contained in document A/59/121 refers in detail and comprehensively to the difficult situation facing the Palestinian people and the economic and humanitarian crises they are experiencing, which increases their suffering and creates difficulties in meeting their basic needs. The report also points to the problem of unemployment and the increasing levels of poverty, which have reached over 63 per cent in the West Bank and 75 per cent in the Gaza Strip. The report also refers to the fact that Israel has methodically imposed restrictions on the movement of goods and people within Palestine and across borders. The Secretary-General himself states in paragraph 11 that that continues "to be the proximate cause of the Palestinian humanitarian and economic crises".

The report also stresses in paragraph 9 that the occupying forces continue "to inflict daily hardship and humiliation on Palestinians, through closures, curfews, house demolitions, targeted assassinations, settlement activities, the use of deadly weapons in highly populated areas and the use of disproportionate force".

We are particularly concerned about the actions of the occupying forces against the institutions of the United Nations and its specialized agencies, including the obstacles and difficulties they impose upon organizations that are trying to provide essential economic and humanitarian assistance to the Palestinian people. The report points out that the occupying forces are imposing restrictions on the freedom of movement of United Nations staff and are obstructing humanitarian assistance, the result being that such assistance must be scaled back or completely halted. In fact, United Nations agencies are rendering assistance to the Palestinian people under very difficult conditions as a result of the measures employed by the occupying forces — assistance and support that the Palestinian people urgently need. In that regard, we agree with the report's observation, in paragraph 85, that "the significance of the United Nations agencies and their role in the occupied Palestinian territory has never been greater — nor has there ever been a time when it has been more difficult to operate".

In that regard, my delegation would like to take this opportunity to express its gratitude to the Secretary-General for his report and for his efforts to support the Palestinians and their just cause. I would also like to convey our deep appreciation for the role of the United Nations and its relevant agencies in providing humanitarian and economic assistance to the Palestinian people, which undoubtedly contributes to alleviating their pain and suffering.

My delegation would like in particular to thank our brothers and sisters in Arab countries who have taken in the seriously wounded and provided medicines and emergency medical assistance, as well as for their great assistance in safeguarding the structure and functioning of the Palestinian Authority and in providing assistance to the Palestinian people in general. We also extend our thanks to all friendly

States, to the European Union and Japan in particular, for having provided us with humanitarian assistance and for having supported our people in general. In addition, we thank all the donor countries and non-governmental organizations that have provided emergency humanitarian assistance to the Palestinian people.

In that regard, we must firmly confront all Israeli measures against donor States and bodies, including assassinations and attacks carried out by Israel against the staff and headquarters of humanitarian agencies. The international community must provide protection for those extending assistance, in line with international humanitarian law.

I would like to add that just and lasting peace and stability in the region in general essentially requires not only the full withdrawal of Israel from the occupied Palestinian territories, including East Jerusalem and the Golan, but also the exercise by the Palestinian people of their right to self-determination and to establish a sovereign State on their own territory. If that does not happen, there will be no possibility of making progress in the peace process. Nor will we be able to talk about regional development or regional cooperation with Israel, the occupying Power. We wish to underscore the importance of the role of the United Nations in bringing about just and lasting peace on the basis of its permanent responsibility with respect to the Palestinian issue.

I would like to conclude my statement by quoting again from the report of the Secretary-General. In paragraph 87 he states:

> "Humanitarian and financial assistance will not by themselves serve as a solution to the political crisis affecting the lives of the Palestinians and Israelis. A solution regarding the status of the Palestinian people, as well as the economic situation and humanitarian crisis, is linked directly to respect for international law and the achievement of a peaceful resolution of the conflict."

Mr. Zoumanigui (Guinea) (*spoke in French*): I would first of all like to convey the condolences of my delegation to the Palestinian people and to the family of the deceased President Arafat. We hope that God will be merciful on him and that his soul will rest in peace.

Allow me to thank the Secretary-General for his reports (A/59/93 and A/59/374) on the strengthening of the coordination of emergency humanitarian assistance of the United Nations.

My delegation supports the statement made by the representative of Qatar on behalf of the Group of 77 and China, as well as the statement by the representative of Nigeria on behalf of the African Union. I would now like to make a few comments in my national capacity.

The importance of considering this agenda item, which stems from resolution 46/182, led world leaders to underscore, in the Millennium Declaration and elsewhere, the importance of protecting vulnerable populations suffering from natural disasters, genocide, armed conflict and other humanitarian emergencies. Our consideration of the reports of the Secretary-General makes it possible for us to both catalogue the consequences of natural disasters and underscore the responsibilities of the international community and of regional, subregional and national actors in the areas of disaster prevention and management. In that regard, my delegation is pleased at the diversity of actors who provided humanitarian assistance during the past year. We should now assess their efforts in order to ascertain best practices.

With regard to the transition from relief to development, we commend the drafting of a report by the Joint Working Group on Transition Issues. We agree that United Nations bodies should define common measures to help United Nations country teams to collate and plan the principal elements of a transition strategy.

With respect to the issue of gender imbalance and protection against sexual exploitation and abuse, we welcome the consideration of establishing a network of structures that lead to awareness-raising measures, while at the same time using legal instruments and therapy. It is my delegation's view that the Secretary-General's bulletin (ST/SGB/2003/13) on special measures for protection from sexual exploitation and sexual abuse is a handbook that should guide all the humanitarian actors.

On the same subject, implementation in the field of a complaint procedure is an encouraging step forward. This is also the case with the elaboration and launching by the Department of Peacekeeping Operations of a gender resource package for people

working in peacekeeping. We also note with interest the importance of catastrophe prevention, as referred to in the report.

This year, the choice of the theme, "Learning from today's disasters for tomorrow's hazards", within the context of the celebration of the International Day for Disaster Reduction, should further mobilize the international community in the prevention and management of disasters. For that reason, my delegation supports the Secretary-General's suggestion that national capacities for planning and prevention be developed in countries affected by natural disasters, and we welcome the creation by United Nations bodies of the so-called virtual centre for the coordination of field operations.

With respect to the question of the security of United Nations and associated personnel and the staff of humanitarian organizations, as well as access to humanitarian aid for beneficiaries, we stress once again the obligation on all parties to respect the relevant General Assembly and Security Council resolutions. We agree with the Secretary-General on the obligation of parties to conflicts and local actors to respect the neutral, impartial nature of humanitarian operations being led by humanitarian actors. In return, however, these actors should take better account of the local dynamics and reassure the local population of the principles underlying their actions.

I would like to take this opportunity to pay due homage to United Nations and associated personnel and to the staff of humanitarian organizations for the courage, devotion and determination they demonstrate in carrying out their tasks, often in very difficult and dangerous circumstances.

The diversity of the humanitarian actors and the multidimensional character of the questions to be addressed require that there be better coordination within the United Nations system on the one hand, and on the other, between the United Nations and the other actors, namely, intergovernmental humanitarian organizations and regional, subregional and national organizations. Furthermore, the questions underlying the financing of humanitarian actions are of great concern despite the improvements that are taking place.

We note with satisfaction the proposal to increase the scope of use of the Central Emergency Revolving Fund and support the Secretary-General's proposal to increase the ceiling to $100,000 allocated to a country that has suffered a disaster.

Once again, we appeal to donors to continue their efforts in mobilizing resources for disaster prevention, as well as for relief to victims of disaster. In that context, we fully support the solemn appeal by the representative of the African Union for the examination and adoption by consensus in the plenary of the draft resolution on the victims of the genocide in Rwanda.

With respect to complex emergency situations, my delegation welcomes the reference made to the West African region and to the consideration of an intervention at the subregional level. The Assembly will understand my delegation's position because it is known that countries emerging from conflict in that region — that is, Liberia, Sierra Leone, Guinea-Bissau and Côte d'Ivoire — share a common frontier with my country, which since 1989 has continued to provide a generous welcome to refugees. Above all, the humanitarian, social and economic, environmental and security consequences faced by Guinea as a result of this influx of refugees have been aggravated by the rebel attacks of 2000 coming from our frontiers with Liberia and Sierra Leone.

Aware of the requirements for peace, security and good cooperation, the Government of Guinea has always been involved in the search for solutions to conflicts and the consolidation of peace for the benefit of all the people of the subregion. The holding in Conakry, on 20 May 2004, of a summit of the heads of State of the Mano River Union, which was enlarged to include the heads of State of Mali and Côte d'Ivoire, was a reflection of that determination.

At the international level, the Government has continued to appeal to the international community to find a viable solution to the humanitarian consequences still facing my country. While the meeting of the consultative group on Guinea in Paris on 25 and 26 June 1998 — organized by the United Nations Development Programme (UNDP) and the World Bank — and the 9 July 1998 Day of Solidarity with Guinea, organized in New York by the Department of Political Affairs and UNDP, were encouraging signs, it should be pointed out that there has not been appropriate follow-up at the international level. In that context, my delegation would like to emphasize that the Republic of Guinea, which remains faithful to its

African humanism and respects its international commitments, will continue to demonstrate understanding in the management of conflicts in the subregion and the humanitarian questions on its own territory.

However, my delegation wishes to stress that the international community should follow the example of Guinea, which has fulfilled its duties of responsibility- and burden-sharing, and assume its responsibilities and confront current challenges. Today, the south-east of Guinea continues to be a subject of concern for my Government. We hope that the international community, and the United Nations in particular, will not delay in contributing to the search for a durable solution in order to prevent the whole subregion from being affected.

Finally, it should be said that the consequences of natural and man-made disasters affect millions of people, particularly the vulnerable — namely, women, children and the elderly. They are the involuntary victims of tragedies and they require all our assistance. We welcome the inclusion of an item on limiting the consequences of natural disasters in the agenda for the international meeting for the 10-year review of the implementation of the Barbados Programme of Action.

We continue to believe that the meeting — and also the World Conference on Disaster Reduction to be held in Kobe, Japan, from 18 to 22 January 2005 — will have a positive outcome. My country, the Republic of Guinea, which has particular interest in this issue, will be present at those meetings and will not fail to make its contribution.

Mr. Ercin (Turkey): At the outset, I would like to extend our profound condolences to the Palestinian people on the grave loss of their leader.

Turkey associates itself with the statement delivered by the representative of the Netherlands on behalf of the European Union on the agenda item that we are discussing today. I would like to expound on some of our views, particularly with respect to the Secretary-General's report entitled "International cooperation on humanitarian assistance in the field of natural disasters, from relief to development", contained in document A/59/374.

Premature loss of life due to natural disasters continues to affect a great number of people worldwide, hitting vulnerable groups particularly hard. As indicated in the report of the Secretary-General, it is estimated that in 2003 and 2004 natural disasters claimed the lives of 75,000 people, affected more than 284 million people and caused more than $65 billion worth of material damage. We should pause a moment and consider that we are talking about human lives here, not just numbers.

In his report, the Secretary-General emphasizes, this year again, the disturbing upward trend in the occurrence and impact of natural disasters. The Secretary-General also underlines the fact that natural and man-made emergencies will continue to increase in their regularity and intensity owing to current trends in urbanization, environmental degradation and climate change. It is becoming more obvious than ever that, without coordinated efforts to improve preparedness and response and address risk and vulnerability, the effects of disasters on people and human settlements will become more deadly and costly.

It is incumbent upon every responsible member of the international community to join forces in tackling these challenges. In fact, given the nature of today's interconnected world, there is no alternative to that approach. My country has been a keen supporter of increased international cooperation in countering such emergencies.

Turkey finds itself, in its geography, prone to natural disasters, in that Mother Nature has repeatedly displayed in our country the less friendly side of her strength and ferociousness. The massive earthquakes in 1999 led to great human and material losses. On the bright side, however, there were positive outcomes as well. Recognizing their shared vulnerability and the virtue in pooling their efforts together, Turkey and Greece established the Joint Hellenic Turkish Standby Disaster Response Unit (JHET-SDRU) to provide timely and effective humanitarian assistance when necessary.

Among the lessons drawn from the 1999 earthquakes was the recognition of the importance of strengthening international urban search and rescue assistance and rendering it more effective. With that in mind Turkey assumed the responsibility of presenting a new resolution on this topic to the fifty-seventh session of the General Assembly in 2002. Resolution 57/150 was the product of long and lengthy deliberations and discussions. Operative paragraph 9 of General Assembly resolution 57/150 requests the Secretary-

General to submit a comprehensive, updated report with recommendations on progress in the improvement of efficiency and effectiveness in the provision of international urban search and rescue assistance, taking into account the extent of utilization of the Guidelines of the International Search and Rescue Advisory Group.

We would like to thank the Secretariat for the Secretary-General's combined report contained in A/59/374, which was prepared pursuant to General Assembly resolutions 58/25 and 57/150. We welcome all the efforts to streamline the work of the United Nations, and we consider that compilation of reports on similar issues is a positive step in that direction, as long as these reports strive to reflect all the developments and the progress made on the issues at hand.

The merits of the report are evident. Nonetheless, after very careful consideration, we have concluded that the relevant parts of the report fall short of our expectations. In our opinion, it is not as comprehensive as we would have wished. Indeed, important developments that have taken place on international urban search and rescue operations since 2002 are not adequately reflected in the report. For instance, more information could have been provided for the activities of the International Search and Rescue Advisory Group (INSARAG); it would have been useful to include references to the standardization of the INSARAG guidelines. The measures taken to overcome administrative difficulties in search and rescue operations should have been mentioned in a more detailed manner.

Some general recommendations are not sufficient to contribute to improving the effectiveness and efficiency of international urban search and rescue operations.

In addition, the late issuance of the report left very little time for Member States to form their positions. For that reason, we decided not to rush to submit a resolution on urban search and rescue assistance. Instead of repeating the resolution 57/150 wording once again, we will work, with the cooperation of all parties concerned, to review what has been done so far in this period; take stock of related activities; and consider to formulate a draft resolution that will focus on progress in the improvement of efficiency and effectiveness in the provision of international urban search and rescue assistance, particularly taking into account the extent of utilization of the INSARAG Guidelines.

Mr. Adel (Egypt) (*spoke in Arabic*): We would like to support the statement of the representative of Qatar on behalf of the Group of 77 and China and the statement of the representative of Nigeria on behalf of the African Group. I would like to thank the Secretary-General for presenting the documents on this very important and vital issue on our agenda, to which Egypt attaches special importance.

Promoting the coordination of humanitarian assistance extended by the United Nations in cases of disaster, including special economic assistance, should be a main priority of the United Nations and other relevant United Nations organizations and specialized agencies. Egypt reaffirms once again that supporting and building the institutional capacities of countries requires the support and coordinating of cooperation between the different systems working in the area of humanitarian assistance to face natural disasters and the impact of wars and conflicts. This is carried out through implementation of a comprehensive method for dealing with natural disasters in all areas, starting with the early warning phase, followed by the relief phase, then by reconstruction and development. Egypt calls upon all donor States and international financing institutions to increase their contribution to provide relief and humanitarian assistance. This is so not only in response to the magnitude of crises and disasters in the last few years, but also in implementation of the principle of international solidarity and interdependence and in implementation of the spirit and letter of the United Nations Charter.

The reports of the Secretary-General (A/59/93 and A/59/374) affirm that natural disasters and environmental emergencies constitute a grave danger that threatens the poorest people in the world. In the year 2003, 700 natural disasters occurred, which led to the death of 75,000 people, and economic losses that exceeded $75 billion. This rate of casualties is nearly seven times that of the previous year.

On the other hand, we would like to note that the pattern of financing humanitarian assistance is still not adequate, since a number of adversely impacted countries got only five per cent of their needs in 2003. I have provided these examples and figures to clarify the extent of the gap between the number of disasters

and suffering and what is available at the moment in terms of humanitarian assistance.

In this context, my delegation calls upon the relevant organizations and donor States to take into consideration the recommendations contained in the two reports of the Secretary-General, also, to support the current preparatory work for the United Nations World Conference on Disaster Reduction, which will be held next January in Japan, and to use the opportunity provided by the Conference to reaffirm once again the policies of disaster reduction and its promotion.

There can be no doubt as to the imperative need for the provision of humanitarian assistance, a task undertaken by the United Nations in many parts of the world. However, it is a task fraught with risk and difficulties. It requires that ways and means be found to safeguard the safety and security of United Nations staff and of personnel working for humanitarian assistance organizations, so that they can fully carry out their duties.

We have noted with increasing concern, as stated in the Secretary-General's report (A/59/332), the continuous exposure of United Nations personnel to risks that include kidnapping, physical violence, robbery, theft, intimidation and long-term detention. A new and more dangerous pattern has emerged, as manifested in the direct attack on United Nations headquarters that occurred in Baghdad in August last. Egypt believes that there is an urgent need for the United Nations to take an active role in expanding and safeguarding protection for those who work in the area of humanitarian assistance, and it emphasizes the fact that such protection should not be merely legal in nature. We must concentrate on promoting the political will of States, whether or not there is a host country agreement with the United Nations.

My delegation looks forward to receiving the report of the Secretary-General next year on this issue concerning the establishment of the necessary structures, arrangements and capacity-building to promote the effectiveness of the United Nations security system.

I shall now touch on ways of providing assistance to the Palestinian people. I should like to begin by extending my sincere condolences on the passing of their late President and leader, Yasser Arafat. His passing is not a loss only to the Palestinian people but to the world as a whole. I am fully confident that the Palestinian people and their new leadership will spare no effort in working to restore their right to live like the rest of humankind — as free citizens in an independent State.

Egypt calls on the international community once again to intervene decisively in order to deal with the humanitarian catastrophe that the Palestinian people are facing. Daily they must endure unprecedented suffering, and therefore efforts must be made to address the tragic situation in the occupied Palestinian territories.

What the Palestinian people are facing, under the yoke of Israeli occupation, not only is destroying the infrastructure of the West Bank and Gaza, and the financial and natural resources of the Palestinian people; it is a blatant violation of their legitimate and inalienable rights. The practices of the Israeli army extend to targeting unarmed civilians, many of them women and children, as well as extra-judicial executions and collective punishment through the imposition of siege and closures.

Sieges, closures and curfews have led to a total paralysis of the Palestinian economy, and more than a million Palestinians are living in terrible poverty. In addition, Israeli operations have displaced nearly 10,000 Palestinians, who now have no shelter at all.

The report of the Secretary-General (A/59/121) has noted another negative element which has led to increased suffering on the part of the Palestinian people: the construction of the separation wall and its impact on the lives of the Palestinians and on the territorial integrity of a future Palestinian State. This jeopardizes the two-State solution set out in Security Council resolution 1397 (2002).

Egypt appreciates the positive role undertaken by the United Nations and its specialized agencies in providing humanitarian assistance to the Palestinian people, and particularly what the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) is doing for 4 million Palestinian refugees.

Egypt calls on donor States to increase their support for such activities by providing the necessary financial assistance to breach the current financing gap so as to provide the necessary humanitarian assistance to the Palestinians and to take a firm stand regarding

any practices that hinder the delivery of such assistance to those who need it.

Egypt would request that the report of the Secretary-General to be presented next year include an analysis of the activities of the United Nations with respect to the humanitarian situation in the occupied Palestinian territories and the difficulties it faces in providing humanitarian assistance. Even more importantly, proposals on how to deal with these difficulties should be made in order to enable the General Assembly and the Economic and Social Council to adopt appropriate resolutions in this area.

In conclusion, I should like to emphasize that we believe that the assistance provided to the Palestinian people is only a first step. It is a means and not an end. The goal is clear: for the Palestinian people to be able to determine their destiny freely, in an independent and sovereign State capable of economic development. To that end, we must ensure the implementation of all relevant resolutions of the United Nations, particularly resolutions 242 (1967) and 338 (1973) and subsequent international, national and regional resolutions and initiatives, which emphasize the linkage between economic and political issues.

Mr. De Rivero (Peru) (*spoke in Spanish*): I should like at the outset to express the condolences of the delegation of Peru to the delegation of Palestine on the death of President Yasser Arafat.

Today we are seeing a trend towards increased humanitarian action on the part of the United Nations. We are not only protecting civilians in armed conflict, but also providing assistance in the aftermath of natural disasters. Such efforts represent the very essence of humanitarian work. However, we are now moving into other areas of operation ranging from gender issues to the process of transition to development, to AIDS.

I think that today it can be said that humanitarian work is becoming the principal activity of the United Nations. Although this seems to us here at the United Nations to be a normal state of affairs, it is seen very differently in many academic circles and by contemporary international-relations analysts.

Many of them quite rightly believe that the expansion of the humanitarian work of the United Nations is a very clear indication that the Organization is failing in the fulfilment of its principal mandate — the maintenance of international peace and security. Today the proliferation of unresolved civil conflicts is creating a series of humanitarian crises on a vast scale, which are transforming the United Nations — without us hardly noticing it — into a kind of global intensive-care operation. It is as if we were becoming another large-scale global Red Cross.

The truth is that, although the primary mission of the United Nations is to maintain peace and security, it finds itself doing principally humanitarian work. We should therefore be concerned at the fact that, as the scope of humanitarian assistance work expands, insufficient efforts are being made to resolve the conflicts that are multiplying throughout the developing world.

For that reason, it is important that reports on humanitarian assistance in conflict situations call on the Security Council to shoulder its responsibility for the prevention and resolution of conflicts — conflicts which are giving rise to the need for humanitarian assistance.

The main function of humanitarian assistance is to alleviate human suffering, but today we are extending it to include transition to development. This concept of transition to development is confusing. In one of his reports, the Secretary-General himself admits that and states that it leads to differing interpretations that make financial contributions more difficult.

My delegation agrees with the Secretary-General when he states that the concept of transition to development is confusing. But it is also illusory, because it makes us think that development is just around the corner, when in reality development has become a quest that is as elusive as the quest for El Dorado. According to the Human Development Reports of the World Bank and the report of the world summit in Geneva, of the 140 developing countries, only 13 saw growth of more than 3 per cent in personal income in the past 23 years. The great majority of developing countries saw no growth in personal income, or growth of less than 3 per cent, which is the minimum needed to begin to conquer poverty.

Therefore, today's grave world economic situation is not exactly a situation of transition to development. More than 4.8 billion people — nearly two thirds of humanity — are living on $2 a day. The Millennium Declaration is therefore realistic; it aims

not at development, but at reducing poverty, which is not the same thing.

For all of those reasons, my delegation fully agrees on the need for a more realistic and more modest approach in the post-assistance period, which should only extend over a limited time period following a humanitarian crisis or disaster. The post-assistance phase should not be considered a metaphysical period of transition to development, because that term can be confused with nation-building — something that is very difficult to achieve and that can ultimately discourage financing for humanitarian and rehabilitation purposes, since it is extremely difficult to determine how long the transition to elusive development will last. That is how we interpret the conclusions of the Executive Committee on Humanitarian Affairs/United Nations Development Group Working Group on Transition Issues.

My delegation is convinced that the most effective and least controversial humanitarian activity of the United Nations is disaster relief. Although humanitarian aid in conflict situations has sometimes brought harsh criticism of the Organization and sometimes generates politicized spin concerning humanitarian aid, that has not been the case with natural disasters. No population forgets the United Nations flag unfurled a few hours after an earthquake, a flood or a hurricane, as was recently the case with Hurricanes Ivan and Jeanne in Grenada, Haiti, Jamaica and the Dominican Republic, and with the earthquakes in Turkey and Iran.

From the creation of the United Nations Disaster Relief Office — a joint initiative of Peru, Turkey and other countries — to the establishment of the International Search and Rescue Advisory Group (INSARAG) and of the United Nations Disaster Assessment and Coordination team, humanitarian disaster relief has only enhanced the Organization's prestige. One can say that in natural disasters, the United Nations is in a win-win position in comparison with other humanitarian activities. For those reasons, Peru supported Turkey's initiative and was a sponsor of General Assembly resolution 57/150, adopted by consensus, which was aimed at strengthening the effectiveness and coordination of urban search and rescue assistance. We asked the Office for the Coordination of Humanitarian Affairs (OCHA) to disseminate that resolution broadly so that countries can take it into account in their national plans to deal with natural disasters.

Today, natural disasters — particularly those of a hydrological nature, such as hurricanes, floods, cyclones, droughts and famine — are increasing. Therefore, United Nations activities in the area of natural disasters will have to be strengthened. In that respect, we must lend our full support to OCHA. The increase in natural disasters also requires coordinated and joint efforts at the regional level. Recently, the countries members of the Andean Community adopted the Andean disaster prevention and response strategy. The Andean strategy will enable us to incorporate disaster reduction, as both a prevention policy and a development strategy, into the national agendas of the five members of the Community. The main subjects being developed will relate to five thematic clusters of our strategy, such as the strengthening of institutions, information and early warning systems, scientific and technological research, mutual disaster relief and a culture of prevention for the population.

It is worth mentioning that in August 2004 Peru hosted a meeting of the INSARAG Regional Group of the Americas, which is aimed specifically at strengthening technical disaster management capacities in the Latin American and Caribbean region. We hope that the World Conference on Disaster Reduction to be held at Kobe next year will provide an opportunity to work on reducing vulnerability to disasters and that it will produce commitments and positive initiatives.

In that context, I should like to highlight what the Secretary-General pointed out in his report with regard to private sector participation in support of humanitarian emergency responses. In fact, it would be very appropriate to think about promoting private participation to support disaster responses. I am sure that many companies that engage in global commerce would be interested in participating. Perhaps we should promote a compact between multinational enterprises and the United Nations aimed at disaster relief.

Moreover, in the light of the Organization's enormous experience and prestige in the area of disaster relief, OCHA should publish an annual report on its activities related to natural disasters, in which it could assess its experiences and make recommendations to further improve these important activities, which will have to be expanded in the future,

given the greater frequency of disasters due to global warming.

In conclusion, I cannot fail to pay tribute to all the men and women who have sacrificed their lives for human dignity, in keeping with their humanitarian responsibility, and to express once again my thanks and wishes for success to the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mr. Jan Egeland.

Mr. Mpundu (Zambia): On behalf of my Government, I wish to express our sincere condolences to the Palestinian National Authority on the demise of President Yasser Arafat. Zambia recalls his extraordinary leadership.

I should like to commend the Secretary-General for the reports contained in documents A/59/93, A/58/293 and A/59/374, on emergency humanitarian assistance. My delegation finds those reports to be very useful. My delegation also commends the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mr. Jan Egeland, for his detailed briefing on the subject on 10 November 2004. Zambia agrees with his assessment of the situation and shares his concerns about the decline in the resources that are being provided to meet the demands of humanitarian assistance worldwide.

My delegation aligns itself with the statement made by the representative of Nigeria on behalf of the African Union. We agree with the view that humanitarian assistance must be extended to the genocide survivors in the Republic of Rwanda and elsewhere. In order to raise the profile of this agenda item, it is my delegation's view that this issue should continue to be dealt with in plenary meetings of the General Assembly.

We also align ourselves with the statement delivered by Qatar on behalf of the Group of 77 and China.

Owing to the worldwide increase in the demand for humanitarian assistance, it is of primary importance to develop a coordinated approach with regard to how that assistance is delivered, in order to ensure that there is no duplication of programmes and that costs can be held down.

In view of the many factors involved in the implementation of humanitarian activities, it is imperative to exercise an optimal and comprehensive cooperation strategy in order to achieve the intended results. Coordination brings about efficiency in the utilization of limited resources. In that regard, my delegation wishes to commend the efforts of the Office of the Emergency Relief Coordinator over the past year, as outlined in his reports.

While financial and material resources are necessary for the delivery of humanitarian assistance, the success of that assistance is largely dependent upon the conduciveness of the environment. My delegation is aware of the many challenges under which emergency relief is delivered, especially in conflict situations. It is for that reason that the safety and protection of humanitarian personnel is paramount. That protection must be a shared responsibility of the international community. We call upon Member States to cooperate with the United Nations to ensure the safety of humanitarian assistance and field staff.

The continuing strife around the world has resulted in increased demand for humanitarian assistance. In that regard, we welcome the launch by the Secretary-General of an appeal to Member States to raise an estimated $1.7 billion to support humanitarian activities.

At this juncture, I wish to say a few words about my country, Zambia, and our experiences with disaster relief management. After years of food deficit, my Government put in place during the 2002-2003 agricultural season measures designed to promote agricultural production to increase food security in the country. Among others, such measures included the introduction of an agriculture import-support programme targeting vulnerable members of our communities through the provision of agricultural inputs, the introduction of outgrower schemes, the development of fisheries and the promotion of irrigation schemes. Those measures have further enhanced the capacity of the Government to respond to humanitarian situations in the country. I am pleased to say that, as a result of that agriculture policy, Zambia has moved from deficit to surplus production, with an estimated production of 1.12 million metric tonnes of maize in the 2002-2003 farming season.

Through the Office for the Coordination of Humanitarian Affairs, my delegation would like to appeal to the Secretary-General to support Zambia's capacity-building in order to enable it to respond to humanitarian situations.

In May of this year, the Government of the Republic of Zambia declared the HIV/AIDS pandemic a national disaster. The pandemic mostly affects the productive age group of our society. That disease should be confronted with the same vigour as other disasters. Accordingly, my Government will continue to count on the international community for support to conquer that scourge.

In conclusion, my delegation appreciates the work of the Office for the Coordination of Humanitarian Affairs, in particular as regards the issues that the Emergency Relief Coordinator has brought to the fore in his reports. It is now up to Member States to provide the resources required to confront the looming humanitarian crises around the world.

Mr. Chulkov (Russian Federation) (*spoke in Russian*): I would like to begin my statement by expressing my sincere condolences to the leadership of the Palestinian people and the family of President Arafat on the passing away of President Arafat.

The Russian Federation commends the activities of the United Nations system aimed at strengthening the coordination of emergency humanitarian assistance. We note the leading role played in that process by the Office for the Coordination of Humanitarian Affairs (OCHA). We stress in particular the efforts aimed at enhancing the efficiency of the respective coordination mechanisms and instruments while taking into account new humanitarian activities related, first of all, to the increased global terrorist threat and the risks taken by humanitarian workers in the field.

The problem of ensuring the physical safety of humanitarian personnel has recently become a particularly urgent matter. In that connection, we emphasize the need to take effective measures in that area in accordance with the Convention on the Safety of United Nations and Associated Personnel. We also deem it necessary to work for a broader scope of legal protection for United Nations personnel by finalizing the protocol to the Convention. We note the efforts of the Inter-Agency Standing Committee (IASC) to develop a general framework for the establishment of relations between humanitarian and military organizations in complex emergency situations. It is vital to stress that, in its search for an adequate response to new challenges and threats, the humanitarian community should consistently be guided by the humanitarian principles of humanity, neutrality and impartiality. At the same time, as was justly stressed in the report (A/59/332) of the Secretary-General, humanitarian personnel should observe generally accepted and locally agreed security practices and be sensitive to local traditions and customs.

The protection of civilians in armed conflict has recently been among the priority problems on the international humanitarian agenda. Despite the whole range of current international instruments on human rights and international humanitarian law it is still innocent civilians — including children, women, older persons and those belonging to what are usually referred to as vulnerable groups — who are the first affected in armed conflict. The situation regarding the protection of civilians calls for systematic and coordinated measures at the international, regional and national levels. Account should be taken of the problem of protecting civilians, which has both a human rights and a humanitarian dimension. It is obvious that the humanitarian component is now very much in demand, especially as an element of an overall strategy aimed at crisis prevention, as well as at the various stages of post-conflict settlement. There is no doubt that humanitarian work should be based on the norms of the Charter of the United Nations and basic humanitarian principles. Its effectiveness depends largely upon how it is inscribed in the efforts of the international community aimed at political settlement.

Post-conflict peacebuilding and rehabilitation and prioritizing the matter of transitioning from relief to development continue to be urgent issues. We believe that effective and smooth transition to development is key to the success of international humanitarian and post-conflict peacebuilding efforts and to laying the groundwork for dynamic social and economic development. We believe that at the stage of deploying a humanitarian operation, attention should be paid to planning and programming of development-oriented elements of assistance. All this requires an adequate and coordinated response on the part of the international community, with the United Nations playing the leading role.

We note an increased interaction between the Economic and Social Council and the Security Council with regard to post-conflict situations. We believe that this will help the United Nations system organizations to balance and coordinate their efforts in this area.

In the current situation there is a growing need to predict emergencies, take preventive measures and ensure a timely response on the part of both national and international humanitarian agencies. In this regard adequate measures should be provided in cooperation with national governments to reinforce planning mechanisms for emergencies.

We support continued efforts to strengthen national early warning systems, assess damage and mitigate the consequences of natural disasters. All this should facilitate the creation of a global network for urgent warning in case of major emergencies in order to ensure coordination among national rescue agencies and adjust the mechanisms allowing effective use of the available national potential in international rescue operations.

The Russian Federation attaches great importance to global efforts to implement the International Strategy for Disaster Reduction and we consider commitment to its purposes a key prerequisite to attain the Millennium Development Goals, especially in vulnerable countries and regions of the world. We welcome the work done by the secretariat for the Strategy to prepare the World Conference on Disaster Reduction to be held in January 2005 in Kobe. We believe that the Conference should become an important stage in international efforts to reduce the threat of disasters, and to further improve the United Nations work in this area through a global assessment of the implementation of the Yokohama Strategy and Plan of Action for a Safer World. Russia is participating actively in the preparation of the Conference and is making a concrete contribution to its organization.

A key task is to further improve tools for the mobilization of funds and, at the same time, to enlarge the donor base. The Consolidated Inter-Agency Appeals remains the main mechanism in this process. Their preparation procedure and structure should be further enhanced. Furthermore, quite a number of them still lack resources. In this regard it would be expedient to provide the appeals with flexibility allowing non-traditional donors, including those who are ready to render humanitarian assistance in kind, to increase their participation in international humanitarian cooperation.

Russia commends the United Nations efforts to draw the attention of international public opinion to the problems of the so-called forgotten emergencies. We share the view that such situations cause human suffering no less that those that are closely followed by the international community. We are continuing to provide our contribution to humanitarian assistance in many countries of the world. As was the case last year, we provided humanitarian assistance to Ethiopia, Eritrea, Iran, China, Algeria, Ecuador, Tajikistan, Kyrgyzstan, Georgia, Moldova and provided voluntary contributions to the World Food Programme to provide assistance to the Democratic People's Republic of Korea and Angola, and to the Office of the United Nations High Commissioner for Refugees (UNHCR) for the region of Southern Africa in the amount of 11 million dollars and 2 million dollars respectively. Next year we are going to maintain our contribution to the World Food Programme in the amount of 11 million dollars. These figures also prove that our country is gradually restoring its donor potential.

It is to a large extent through the humanitarian activities that the United Nations has wielded its political and moral authority in the world. And it is within our means to further reinforce its role in the world.

Programme of work

The President (*spoke in French*): I should like to make an announcement concerning the programme of work of the plenary meeting of the General Assembly. On the morning of Tuesday, 23 November 2004, the General Assembly will consider agenda item 163, entitled "The situation in the occupied territories of Azerbaijan". The list of speakers on this question is now open.

The meeting rose at 12.40 p.m.

United Nations A/59/PV.52

General Assembly

Fifty-ninth session

Official Records

52nd plenary meeting
Thursday, 11 November 2004, 2.30 p.m.
New York

President: Mr. Ping ..... (Gabon)

The meeting was called to order at 2.45 p.m.

Tribute to the memory of His Excellency Mr. Yasser Arafat, late President of the Palestinian Authority

The President (*spoke in French*): Before we take up the items on our agenda this afternoon, it is my sad duty to pay tribute to the memory of His Excellency Mr. Yasser Arafat, President of the Palestinian Authority, who passed away today, 11 November 2004.

President Yasser Arafat, who was considered by his people as the father of the nation, dedicated his life to the establishment of a Palestinian State. By signing the Oslo Accords he accepted the principle of the peaceful co-existence of two States, Palestine and Israel. The best tribute to President Arafat would be the achievement of his dream of an independent Palestinian State living in peace and cooperating with all its neighbours.

On behalf of the General Assembly, I request the Observer of Palestine to convey my condolences to the Palestinian people and to the bereaved family.

I invite representatives to stand and observe a minute of silence in tribute to the memory of President Yasser Arafat.

The members of the General Assembly observed a minute of silence.

The President (*spoke in French*): I now call on the Secretary-General.

The Secretary-General: For nearly four decades, Yasser Arafat expressed and symbolized in his person the national aspirations of the Palestinian people. He was one of those few leaders who was instantly recognizable by people in any walk of life all around the world.

President Arafat will always be remembered for having led the Palestinians, in 1988, to accept the principle of peaceful coexistence between Israel and a future Palestinian State. By signing the Oslo Accords in 1993, he took a giant step towards the realization of that vision. It is tragic that he did not live to see it fulfilled. Now that he has gone, both Israelis and Palestinians, and the friends of both peoples throughout the world, must make even greater efforts to bring about the peaceful realization of the Palestinian right to self-determination.

Thirty years ago this week, Yasser Arafat stood in this Hall when he became the first representative of a non-governmental organization to speak to a plenary meeting of the General Assembly. One year later, the General Assembly adopted resolution 3237 (XXIX), conferring on the Palestine Liberation Organization the status of observer in the Assembly and in other international conferences held under United Nations auspices.

But the relationship between the United Nations and the Palestinian people is far deeper and broader, and dates back much longer than that. For 55 years, the United Nations Relief and Works Agency for Palestine Refugees in the Near East has provided humanitarian

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assistance, health care, housing and education to Palestinians. Today, there are a total of 19 United Nations agencies and bodies lending their assistance to the Palestinian people. We must, and will, continue that work for as long as the Palestinian people need our help.

Together with our partners, we will also continue our efforts to achieve the full implementation of the road map, as endorsed by the Security Council in resolution 1515 (2003). Our goal is the realization of a just, lasting and comprehensive peace in the Middle East based on Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002). That includes as its centrepiece the establishment of a sovereign, democratic, viable and contiguous Palestinian State living side by side in peace with a secure Israel. Although Chairman Arafat did not live to see the attainment of those goals, the world will continue to strive towards them.

Today our condolences go to Chairman Arafat's wife and young daughter, for whom his death is a personal tragedy. Our thoughts and prayers also go to his wider family — the wider family of the Palestinian people — in the hope that they will find the strength, vision and courage to look ahead to the possibility of a peaceful settlement, for the benefit of succeeding generations.

The President (*spoke in French*): I now call His Excellency Mr. Crispin Grey-Johnson, Permanent Representative of the Gambia, who will speak on behalf of the Group of African States.

Mr. Grey-Johnson (Gambia): I speak in the name of the Group of African States. The Group of African States at the United Nations is profoundly saddened by the passing away this morning of Mohammed Yasser Abdul-Raouf Qudwa Al-Husseini, commonly known as Yasser Arafat, President of the Palestinian Authority.

President Arafat was the personification of Palestinian nationalism. Since 1957, when he founded the Fatah movement in Kuwait, to the very last minute of his life, he lived for and advanced the Palestinian cause. Through his exemplary leadership, a Palestinian identity was forged, amplified and consolidated, and the question of Palestine was elevated from a mere footnote to full centre stage of international negotiations and discourse. The movement for the independence of the Palestinian people grew into the creation of the Palestine Liberation Organization in 1964, with a military wing — the Palestine Liberation Army — added to it in 1970.

In recognition of his efforts to have his people renounce violence, embrace peace and recognize the State of Israel through the Declaration of Principles, which he signed with the Israelis in 1993, Mr. Arafat was awarded the Nobel Peace Prize along with Shimon Peres and Yitzhak Rabin of Israel. In 1994 the Palestinian Authority was created by the Oslo Accords, and he was elected its first President two years later — a position he held until his death this morning at the age of 75.

Abu Ammar, as he was affectionately called by his people, committed his entire life to the cause of freedom for all the world's oppressed people, for the liberation of the Palestinian people and the return of their heritage — a cause he vociferously defended on numerous occasions in this very Hall. For good or for ill, he has left his footprints on the sands of time. It is our fervent prayer that the peace that he sought for his people throughout the course of his life will soon radiate not only among Palestinians, but also among all people in the Middle East and beyond.

We extend our heartfelt condolences to his family, to the Palestinian Authority and to all the people of Palestine. May his soul rest in peace.

The President (*spoke in French*): I now give the floor to Mr. Rezlan Ishar Jenie of Indonesia, to speak on behalf of the Asian States.

Mr. Jenie (Indonesia): I join you today as Chairman of the Group of Asian States to pay tribute to President Yasser Arafat, who passed away on 11 November 2004 at 3.30 a.m., Paris time.

We join the Palestinian people in mourning his death and regret that he did not live to see the birth of an independent Palestine. As the father of the Palestinian people, he kept the dream of an independent homeland burning ever brightly. However, a prolonged illegal occupation, which continues even today, prevented this from becoming a reality during his lifetime.

I would like to recall that exactly 30 years ago, in November 1974, President Arafat, the symbol of the genuine Palestinian struggle for independence, first spoke at a plenary meeting of the General Assembly of this Organization. It was clear then that his firm

struggle for the independence of his country did not blind him to the need for compromise. On that historic occasion he offered an olive branch to facilitate a peaceful settlement of the political issues surrounding Palestine's independence.

In the years following that address, despite the many adversities he had to endure, President Arafat's determination to lead the Palestinian people to a just and lasting peace never wavered. Arming himself with courage and hope, he brought the peace of the brave to the Oslo Accords of 1993 and to the subsequent talks in Washington.

His permanent desire was justice and peace for a people who were only too familiar with the harshness of oppression. Having been awarded the Nobel Peace Prize in 1994, he made known the depth of his desire for peace by stating, "We will discover ourselves through peace more than we did through confrontation and conflict". Peace, he reasoned, was indispensable to Palestinian ambitions for independence and sovereignty.

Yet the ferocity of the repression of the Palestinian people did not lessen over the years. But he matched its intensity with his commitment and undying optimism. Because of this, he was a much loved and respected figure, not only by the Palestinian people but by many all over the world, including Asia.

Despite repeated attempts and negotiations — including the famous road map brokered by the Quartet in 2002 with the objective of setting up a two-State solution in 2005 — he was effectively prevented from fully leading his people to peace or to the creation of a Palestinian State. His last days were unfortunately spent as a virtual prisoner in his compound in Ramallah.

Though his hope for gaining independence for the people of Palestine has not been achieved, that does not mean that the flame for independence has been extinguished. Palestine has lost its beloved leader, but the people have not lost their esteem and desire for liberty and independence.

All of Asia extends heartfelt condolences to the people of Palestine and the bereaved family. We pray to God the Almighty for the late President Yasser Arafat and for his family to be blessed with patience and strength in this time of deep sorrow.

The President (*spoke in French*): I now give the floor to Mr. Andrei Dapkiunas, the representative of Belarus, to speak on behalf of the Eastern European States.

Mr. Dapkiunas (Belarus): On behalf of the Group of Eastern European States, I have the sad duty of expressing a deep sense of grief and compassion on the passing away of President Yasser Arafat.

The life and work of President Arafat were inseparably connected with the struggle of the Palestinian people for their inalienable rights for a better and safer future in their homeland.

President Arafat will be remembered as a lifelong and committed advocate of the Palestinian cause and an important participant in the historic 1993 Oslo Accords. The Nobel Peace Prize of 1994 was a deserved acknowledgement of President Arafat's role and contribution to the peace process in the Middle East.

As a person and as a statesman, Yasser Arafat has left a significant and undisputed imprint, not just on the modern history of the Middle East, but on world politics of past decades as well.

On behalf of the delegations of the States of the Eastern European Group, I convey deep condolences to the family of the late President Arafat and the mourning people of Palestine, the homeland he loved so much and devoted his whole life to. May his soul rest in peace.

The President (*spoke in French*): I give the floor to Mr. Eduardo Sevilla Somoza, representative of Nicaragua, speaking on behalf of the Group of Latin American and Caribbean States.

Mr. Sevilla Somoza (Nicaragua) (*spoke in Spanish*): On this occasion of profound sadness for the Palestinian people, I wish, on behalf of the members of the Group of Latin American and Caribbean States, to pay tribute to the memory of President Yasser Arafat, an historic figure who had an impact on the world until he drew his last breath.

The great majority of Palestinians feel they have lost their leader, their master, the father of the State. Unquestionably, he symbolized the feelings of his people. In his person he represented the aspirations of a whole people, raising to a world level his conviction for the establishment of a sovereign State.

The countries of the Group of Latin American and Caribbean States express our most heartfelt condolences upon the passing of President Arafat to the Palestinian people and all members of his family, particularly Suha, now the widow of President Arafat, and her young daughter, Zahwa.

Our feelings of solidarity and support at this time of such sorrow and distress also go most particularly to Ambassador Nasser Al-Kidwa and the other members of the Permanent Observer Mission of Palestine to the United Nations.

The countries of the Group urge the Palestinian people and its leaders to keep alive the ideals of their greatest representative with a view to creating a free and sovereign Palestinian State, economically viable, but above all, dedicated to peace, not only for Palestine but for the whole of the Middle East and the rest of the world.

The President (*spoke in French*): I call on Mr. Don MacKay, representative of New Zealand, to speak on behalf of the Western European and Other States Group.

Mr. MacKay (New Zealand): As Chairman of the Western European and Other States Group, I would like to address the Assembly today to express condolences and sympathies to the family of President Arafat and to the Palestinian people on the passing of Yasser Arafat, President of the Palestinian Authority.

Over the last four decades President Arafat came to symbolize the Palestinian national movement and the aspirations of the Palestinian people. President Arafat was respected by the Palestinians and others as a leader who symbolized their long search for statehood and independence and led the Palestinians to a historic acceptance of the principle of peaceful coexistence between Israel and a future Palestinian State.

The Palestinian leadership will now have to shoulder the heavy burden and responsibility of carrying that vision of two States living side by side in peace and security and bringing it to fruition. It is to be hoped that the international community will provide every support it can to achieve this vision.

The President (*spoke in French*): I give the floor to Mr. Omar Bashir Mohamed Manis, the representative of Sudan, on behalf of the Arab States.

Mr. Manis (Sudan) (*spoke in Arabic*): The late President Arafat continued to work to achieve the legitimate aspirations and dreams of the Palestinian people to have an independent Palestinian State with Al-Quds Al-Sharif as its capital, to spread peace and establish stability, and for it, he sacrificed everything that was precious to him in order to achieve this noble goal. He endured all forms of unjust treatment, torture, siege, humiliation and displacement for this just cause.

The Arab and Islamic nation, with the loss of President Arafat loses a symbol of Palestinian struggle and a strong, unique and distinguished leader in the history of the Palestinian struggle. It has lost a fighter president that was at the forefront of all efforts to unite the Arab position in the darkest of moments and circumstances. He worked with true faith and real interaction in order to keep the Palestinian cause — the central cause of all Arabs — alive, despite the intransigence and the oppression of the Israeli occupation forces that have rejected all binding resolutions, and to regain usurped Palestinian rights.

Despite forced imprisonment and his recent illness, he worked to mobilize sincere Arabic and international efforts towards the peace process, taking courageous and insightful decisions in order to pursue a peaceful settlement and the establishment of a legitimate and independent Palestinian State through hard and serious negotiations until these efforts were crowned with the signing of many agreements.

Despite the tragedy of losing President Arafat today, we trust that the peace process and the path that he has drawn for his people in calling for their legitimate right to the liberation of Palestine from the occupiers and for establishing their legitimate State on Palestinian soil, with Al-Quds Al-Sharif as its capital, will always be a beacon.

With hearts that are heavy with pain and sadness and with deep faith and surrender to the will of God we are shocked by the loss of brother President Yasser Arafat, whose loss is a source of great sadness and grief to the Palestinian people, to the Arab and Islamic nations and to all peace-loving countries and peoples, as well as to all those who care about the peace process in the Middle East.

On behalf of the Arab Group, we offer our deepest and sincerest condolences to the family of the late President and to the heroic Palestinian people and to Arabs everywhere and to all the peace-loving

peoples who seek liberation, and we call on God Almighty to grant him heaven with the martyrs and the righteous for they are the best of companions.

The Palestinian people, with the loss of their President Yasser Arafat, have lost a courageous fighter, an inspirational and steadfast leader who never wavered in his diligent effort to liberate Palestine, in his honourable and brave national struggle and in his real belief in the justice of his people's cause and the legitimacy of their struggle over the decades. President Arafat led the struggle of the Palestinian people with great wisdom and insight. He firmly defended the legitimate rights of the Palestinian people, while maintaining the unity of their parties, without discriminating against any. He remained committed to his national principles with rare strength, willpower and courage. We hope his inspiration will continue to be a beacon for his people and for the Palestinian leaders, so that they may achieve the aspirations that he sought all his life to accomplish.

Although President Arafat is absent today, his ideals and principles will survive and will continue to be our guiding light. We are from God and to Him we shall return.

The President (*spoke in French*): I now call on the representative of the Netherlands, who will speak on behalf of the European Union.

Mr. Van den Berg (Netherlands): On behalf of the countries of European Union (EU), I would like to convey our profound condolences to Madame Arafat, to the family of the deceased and to the Palestinian people.

The Palestinian people have lost a historic leader and a democratically elected President. Mr. Arafat's devotion and single-minded commitment to the Palestinian national cause throughout his life has never been in doubt. He did not live to see the birth of a Palestinian State. However, the European Union will work with the Palestinian authorities and the international community to contribute to realizing the aspirations of the Palestinian people.

The European Union would like to commend the Palestinian leadership for their demonstration of dignity and responsibility in order to maintain the Palestinian institutions at this difficult time. We also pay tribute to the Palestinian people, who support their leadership. We wish to stress that the Palestinian people can count on the undiminished support of the European Union on the path towards a peaceful, durable and just settlement of the conflict. We are convinced that this goal can be achieved for both Israelis and Palestinians.

On a more personal note, we, the Permanent Representatives of the European Union, would also like to convey our heartfelt condolences to our colleague Nasser Al-Kidwa, the Permanent Observer of Palestine, who lost a President, as well as a family member. Our sympathies are with him. May Nasser have the strength and the courage to overcome this grave loss.

The President (*spoke in French*): I now call on the representative of Malaysia, who will speak on behalf of the Non-Aligned Movement.

Mr. Rastam (Malaysia): I have the honour and the sad duty to speak on behalf of the Non-Aligned Movement (NAM) on this solemn occasion to pay tribute to the memory of the late President Yasser Arafat, who passed away on 11 November 2004. I extend the sincere condolences and heartfelt sympathies of the member countries of the Non-Aligned Movement to Madame Suha Arafat and the family, the Observer Delegation of Palestine to the General Assembly, the Palestinian Authority and all Palestinians, over the passing of President Yasser Arafat, a loving father and husband, a learned tutor and an inspiring leader of the Palestinian people.

President Arafat was not only a leader of the Palestinians, but was also among the influential leaders within the Non-Aligned Movement. Together with our Palestinian brothers and sisters, the member countries of NAM mourn with great sadness and deep sorrow his untimely departure.

President Arafat will be forever remembered, not only by Palestinians but also by people from all parts of the world, for his immense courage, enormous sacrifice and strong determination in championing and protecting the inalienable right to self-determination of the people of Palestine and their claim to their own sovereign homeland. He devoted his life to that struggle — against all odds — for almost four decades, including suffering the indignity of being virtually imprisoned by the Israelis at the Muqataa in Ramallah. President Arafat will indelibly remain the icon of the Palestinian struggle against injustice, against brutal oppression, against subjugation, as well as against the

forces that seek to deny the Palestinian people their dignity, freedom and independence. It must be remembered that until his death, President Arafat remained the duly elected leader of the Palestinian people and therefore had the right to represent them, although certain quarters did not wish to acknowledge that.

President Arafat's leadership of the Palestinian people may have come to an end, but, his legacy of iron will and fighting spirit, which he lived by all his life will continue to inspire the Palestinian people and those who share the legitimate cause of the Palestinians. The Non-Aligned Movement is confident that our brothers and sisters in Palestine will remain calm and stand united during this most difficult time, in order to collectively address the many challenges ahead.

The memory of President Arafat should serve to motivate all Palestinians to display solidarity in order to secure, without delay, an independent and sovereign State of Palestine, with East Jerusalem as its capital. As a fitting tribute to President Arafat's memory, NAM will continue to support the struggle of the Palestinians to achieve a just, comprehensive and lasting peaceful settlement of the question of Palestine and the establishment of the State of Palestine, living side by side with the State of Israel in peace within secure and recognized borders. NAM will remain strongly supportive of all endeavours aimed at addressing the Palestinian question, a question that has been high on the agenda of the Non-Aligned Movement since the Movement's establishment in September 1961.

NAM calls upon all Member States of the United Nations, and in particular members of the Quartet, to closely monitor the situation in Palestine, as well as to restrain Israel from exploiting, in any manner, the present circumstances. We believe that it is timely for urgent measures to be taken to implement the road map for peace in the Middle East without any further delay.

The contributions of President Yasser Arafat to the Movement will long be remembered within NAM. His untimely departure is a great loss, not only to the Palestinian people, but also to all people who believe in the just struggle that he led. May God Almighty bless his soul with mercy and compassion.

The President (*spoke in French*): I now call on the representative of Turkey, who is speaking on behalf of the Organization of the Islamic Conference.

Mr. Cengizer (Turkey): It is my solemn and sad duty to speak on behalf of the Organization of the Islamic Conference on our loss of a valiant leader of the Palestinian people, President Yasser Arafat. As evidenced by the numerous speakers who have taken the floor before me, representing the four corners of the world, this is a sad day for all humanity.

The Muslim world, about to observe the felicitous occasion of Eid Al-Fitr, grieves, but in a most meaningful way. The Muslim world joins its Palestinian brothers and sisters in this great loss. More than anyone else, President Arafat epitomized the rightful struggle of his people. There is no doubt that the flame he lit and nurtured with singular courage and determination against all odds, yet which burned unabated for more than half a century, will continue until Palestinian statehood is achieved.

In that spirit, we stand with our Palestinian brothers and sisters in their implacable grief and pay heartfelt tribute to President Arafat's unforgettable memory and struggle for justice, which he sought until the very end. We pray for his soul, his family and his brethren all over the world, and we salute once again his ideals, which will never fade away.

The President (*spoke in French*): I now give the floor to the representative of Senegal, Mr. Paul Badji, Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

Mr. Badji (Senegal) (Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People) (*spoke in French*): On behalf of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I wish to express how deeply saddened we are by the death of Mr. Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization and President of the Palestinian Authority.

The Palestinian people have lost a most ardent leader of their cause, a determined fighter, an unequalled strategist and a visionary leader who for decades was the living symbol of the courage, tenacity, resistance and unity of the Palestinian people and of their legitimate aspiration to freedom, sovereignty and national independence.

Over the last 10 years President Arafat undertook a historic fight to achieve what he often called the peace of the brave and the goal of establishing the

State of Palestine, living side by side with Israel — a goal that would bring peace, security and stability to the region.

The Committee hopes that in these times of hardship the Palestinian people will remain united and determined to continue on the road to peace marked out by President Arafat. We will support the Palestinian people until their inalienable rights are fully realized, in perfect harmony with international legality.

The Committee will continue to work for a comprehensive, just and lasting settlement of the question of Palestine, in conformity with the relevant United Nations resolutions and international law. The Committee believes that the road map remains the best way to attain a comprehensive, just and lasting settlement of the question of Palestine through the establishment of two States, Israel and Palestine, based on the 1967 borders and the relevant United Nations resolutions. Any unilateral act by either party will not contribute to a lasting settlement unless it is in conformity with the spirit of negotiations between the two sides and the road map. The Committee hopes that the Quartet and the international community will continue to work to achieve that goal. That would be the best tribute to President Arafat.

The Committee conveys its deepest condolences to the family of President Arafat, the entire Palestinian people and Mr. Nasser Al-Kidwa, our fellow Committee member, on the occasion of this cruel loss.

The President (*spoke in French*): I now call on Mr. Amr Aboul Atta, chargé d'affaires of Egypt.

Mr. Aboul Atta (Egypt) (*spoke in Arabic*): The Assembly is meeting today at a time of great sorrow, not just for the Arab world but for the entire free world. Yesterday we lost a brave fighter, a steadfast leader and a unique nationalist, the late President Arafat.

The Government and the people of Egypt offer their sincerest condolences to the brotherly Palestinian people and the Palestinian Authority and its institutions on the occasion of the death of the late President Arafat. He embodied the national struggle for freedom and independence in our modern-day history.

The memory of peoples and the pages of history have never forgotten the great sacrifices that were made by symbols of national struggle such as Nelson Mandela and Mahatma Ghandi. The two achieved the dream of freedom and national independence. The name of the late President Arafat will forever remain a symbol of the history of the Palestinian people's national struggle since Israel first occupied the territory of Palestine and since the Palestinians first strove for self-determination.

Yasser Arafat was not just a symbol of the national struggle against foreign occupation; he was a dedicated political leader. He exerted every effort possible and bore great hardships and suffering to carry the olive branch and extend his hand in peace in order to achieve a political settlement that would end the bloodshed of innocent people, recover all rights and achieve self-determination for an entire people, ending a conflict that has clouded our lives for decades.

Regrettably, fate did not allow President Arafat to achieve the fruit of his long struggle, fulfil his long-held wish to pray at Al-Aqsa Mosque and see the free flag of the State of Palestine fly high over the West Bank and the Gaza Strip as a symbol of an independent Palestinian State, with East Jerusalem as its capital.

History will not forget that at a time when human rights are defended and the principles of international law and international legitimacy are respected, as are the will and firm right of peoples to self-determination, the leader of an Arab people lived under a humiliating siege for more than two years in his own land and in his own country, deprived of even the most basic human rights.

The leadership and people of the Arab Republic of Egypt have full and unwavering confidence that the values and principles that guided President Arafat in the struggle of his people over many long years will not be lost. The Palestinian people will rapidly overcome their sorrow to rally around a national leadership that will continue the struggle to achieve a just and comprehensive peace and regain all Palestinian rights.

The situation in the Middle East is continuing to develop rapidly and successively. Some developments serve to intensify feelings of frustration and despair, but some do provide a ray of hope for a future that may be brighter for the generations to come. We are very hopeful that the course of action that President Arafat initiated will be continued and that the next stage will see a real activation of the peace process and a return by both parties to the negotiating table, especially

given the increased attention by the main international parties with a view to reactivating the peace process and proposing serious initiatives in this regard.

The President (*spoke in French*): I call on the observer of Palestine.

Ms. Barghouti (Palestine) (*spoke in Arabic*): With great sorrow and sadness, the Palestinian leadership and the entire Palestinian people wish it to be known that President Arafat — the leader, the teacher, the son and the symbol of Palestine, the architect of its current national movement, the hero of all of its battles for freedom and independence — passed away at the dawn of this day.

President Arafat has left this world, and his great heart has stilled. His pure spirit has returned to its creator. But he will remain as long as his great people remain, because he was a leader of their political struggle and their great march to build a national identity on their national soil. He was the symbol of their aspiration for the establishment of an independent Palestinian State, with its capital at Al-Quds al-Sharif, and for their liberation from the shackles of displacement, refugee status and occupation. Today we have lost the great leader of our struggle, one who strove for the freedom of his nation — the great leader of the movement for national liberation and independence. But he has left us a great universal and national legacy — one that represents our hope for a bright future of peace, freedom and development for our people and for all peoples.

President Arafat has passed on — he who was raised on the streets of Jerusalem and who lived his life in the hope that it would become the capital of an independent Palestine. Today, his tomb looks towards Al-Quds al-Sharif. He will lie close to Al-Aqsa, with a handful of the soil of Al-Quds al-Sharif.

In two days' time we will celebrate the thirtieth anniversary of the historic statement delivered by President Arafat to the Assembly in 1974, the statement that placed the Palestinian people and their legitimate political rights on the international agenda and made the question of Palestine one of the most prominent just causes. He introduced the cause of the Palestinian people to the Assembly not just as a humanitarian question or a question of refugees, but as an issue involving a people struggling for their right to self-determination and independence. Since that time, the United Nations has addressed the question of Palestine in all its aspects and by every means in fulfilment of its permanent legal, moral and political responsibility towards the Palestinian people.

The Palestinian people will miss President Arafat's great courage, attachment to principle, clear strategic vision and wise leadership. But the Palestinian people can take solace in the knowledge that they do not stand alone in their just struggle for freedom and independence. The generous support of all members of the Assembly means a great deal to us and gives us confidence in the justice of our cause and the inevitability of our triumph. We thank the Assembly, the Secretary-General and all fraternal and friendly States for their sincere expressions of condolence and their warm sentiments, which we greatly appreciate. We will be sure to convey them to the Palestinian leadership and to the family of the late President.

In this regard, we would like to inform the Assembly that the mission of Palestine will be open from 10 a.m. to 4 p.m. on Monday and Tuesday, 15 and 16 November, to all delegations wishing to express their condolences on the passing of the President.

We are of God, and to Him we return.

Agenda item 39 (*continued*)

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance

(a) Strengthening of the coordination of emergency humanitarian assistance of the United Nations

Reports of the Secretary-General (A/59/93 and A/59/374)

(c) Assistance to the Palestinian people

Report of the Secretary-General (A/59/121)

Draft resolution (A/59/L.24)

Mr. Zain (Malaysia): I would like first of all to express our deepest sorrow and grief over the untimely passing of President Yasser Arafat and to convey our condolences to the Palestinian people.

My delegation would like to express its appreciation to the Secretary-General for his comprehensive report under agenda item 39 (c),

"Assistance to the Palestinian people", covering the period May 2003 to April 2004, as contained in document A/59/121.

The past year has been marked by dramatic events. It had offered new hope of a peaceful solution to the Palestinian-Israeli conflict, pursuant to the publication by the Quartet of the performance-based road map. Hopes were subsequently raised even further when the Prime Ministers of Israel and of Palestine committed themselves to working collectively towards the full implementation of the road map. The Aqaba Summit had also lent necessary impetus in that connection. However, the implementation of the road map has stalled, thereby rendering the achievement of the envisaged peaceful solution elusive. Even as we meet here today, events in and relating to the Middle East region are still unfolding with uncertainty.

Although they may not necessarily be at the centre of global and political attention, the role and functions of United Nations agencies and other humanitarian organizations in the occupied territories are crucial and indispensable. Malaysia has noted with utmost concern that, as pointed out in the report of the Secretary-General, the provision by United Nations agencies and programmes of a variety of types of assistance to the Palestinian people has as its backdrop an increasingly difficult humanitarian situation in the occupied Palestinian territory.

Such assistance has been provided, and continues to be provided, under difficult circumstances, in the face of the dire consequences of the repressive administrative and security regimes and measures imposed by the Government of Israel. These have negatively affected the well-being of the Palestinian people. They also hamper the ability of United Nations agencies in the field to carry out their work.

My delegation strongly urges Israel to allow unfettered access to staff members of United Nations agencies and humanitarian workers in the occupied territories. We are alarmed over an observation in the report that it has become increasingly difficult for United Nations agencies to operate there, given that the importance of those agencies and their role in the occupied territories has never been greater.

As a matter of priority, the Government of Israel must ease restrictions and work closely with United Nations agencies, donors and humanitarian organizations to ensure that aid and development projects are delivered in a timely and comprehensive manner. We believe that the effective steps currently being undertaken by the Palestinian Authority to accommodate Israel's security concerns will facilitate such an effort.

All of this notwithstanding, Malaysia is satisfied with the performance of the relevant United Nations agencies in carrying out various efforts and programmes to provide a variety of types of economic, humanitarian and social assistance to Palestinian civilians and institutions, as reflected, in considerable detail, in paragraphs 21 through 64 of the report. The ever-growing sector of "unmet needs", as documented in paragraphs 80 through 84 of the report, requires particularly focused attention. All these efforts and programmes, if successfully implemented, could certainly create the necessary environment to facilitate the achievement of sustainable peace in the region.

We are concerned, however, that the implementation of practically all of these efforts and programmes is being hindered by a lack of financial and other resources. We urge the international donor community to increase its contributions to this cause. The international community must not lose its focus despite the challenges facing it and the sense of hopelessness. For their part, the Government and the people of Malaysia will continue to extend assistance, in their own small way and within their means, to our brothers and sisters in Palestine.

Malaysia supports the continued efforts being made to support the peace process by the Secretary-General and the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority. We welcome the attempts that have been made to ensure effective coordination between the relevant institutions of the Palestinian Authority, the United Nations and the international community. Malaysia urges the Special Coordinator and his Office to continue with such efforts and to intensify them where possible and necessary.

However, the success of those efforts, as everyone knows, will be highly contingent upon the fullest cooperation extended by the Government of Israel and its apparatus. Therefore, we call upon Israel, the occupying Power, to cooperate in the interests of ensuring peace in the long term.

The construction by Israel of the separation wall in the occupied Palestinian territory, including in and around East Jerusalem, has added a new dimension to the problem of providing assistance to the Palestinian people. It has had an adverse impact on the living conditions and freedom of movement of Palestinian civilians. The impact of the wall on Palestinian lives and on the territorial integrity of a future State of Palestine is prejudicial to the very idea of the two-State solution, as envisaged in Security Council resolution 1397 (2002). The International Court of Justice, in its advisory opinion rendered last July, concluded that the construction of the wall in the occupied territories was contrary to international law, that such construction should be stopped and reversed, that those completed sections of the wall should be dismantled and removed, and that Israel should make reparations to those affected by such construction. The General Assembly responded expeditiously to the advisory opinion by adopting resolution ES-10/15. We urge all Member States, in particular Israel, to take all measures necessary to ensure compliance with the provisions of the resolution. We also urge the Security Council to seriously look into this matter.

No matter how substantial the amount of financial resources that are available, humanitarian and financial assistance will not forever and by itself resolve the political crisis affecting the lives of the Palestinians and the Israelis. The solution remains in the ending of occupation, respect for international law and the achievement of a peaceful resolution of the conflict. The events of the past year have demonstrated to us how desperately the people of the Middle East need a political solution to their protracted conflict. Peace will remain elusive unless all parties concerned, the region and the wider international community are prepared to play their part responsibly and with a high degree of political will.

My delegation reaffirms the permanent responsibility of the United Nations, including the General Assembly and the Security Council, towards the question of Palestine until it is resolved in all its aspects on the basis of international law. As a member of the Quartet, the United Nations is well placed to play a pivotal role towards achieving a just, comprehensive and lasting peace settlement and towards achieving the inalienable rights of the Palestinian people. In that connection, my delegation believes that it would be only sensible for Member States to join the consensus in support of draft resolution A/59/L.24 on this agenda item.

Mr. Laurin (Canada): Canada would like to take this opportunity to present its vision on strengthening the coordination of humanitarian assistance. Coordination is vital because of its direct impact in the field. Ultimately, we all are working to meet the needs of affected populations. Protecting civilians in armed conflict is central to this objective.

Canada was pleased with the Secretary-General's decision to emphasize the protection of civilians in armed conflict as an annual theme for the treaty ratification campaign. This is an important opportunity for States to show their commitment to fulfilling their promise under paragraph 26 of the Millennium Declaration to "expand and strengthen the protection of civilians in complex emergencies".

The Secretary-General's decision also coincides with the fifth anniversary of two pivotal Security Council resolutions related to this topic: resolution 1265 (1999) of September 1999 and resolution 1296 (2000) of April 2000. Those two resolutions, along with the resulting discussions and actions, represent a turning point where the international community recognized — beyond the security of humanitarian convoys — the security of people and the need to act to protect them. We are pleased with the progress that has been made in recent years, but now we must work to implement this normative framework.

The international community must react strongly to violations of international humanitarian law and human rights. It must promote the responsibility of affected States to ensure that civilians are protected, and be prepared to react when those States do not protect civilians. We must make more effective use of the tools we have developed over the past five years to protect civilians, and we must create new ones when warranted. An energetic battle must be waged against impunity.

We believe that specialized United Nations country teams and humanitarian and resident coordinators must be better equipped to address protection-related issues. Their ability to effectively identify those issues and to develop relevant strategies to meet the challenges that occur in crisis situations must be enhanced. Our efforts should take gender issues into account. We hope that the Inter-Agency Standing Committee's recently completed review of its

1999 policy statement on gender mainstreaming in humanitarian assistance will be able to support efforts in that regard.

We also think that regional organizations can and must play a more active role in promoting civilian protection. We strongly encourage the United Nations to enhance its dialogue with those organizations so they can do so. We commend the African Union's creation of the position of Special Representative for the protection of civilians in armed conflict, and we are following its cooperation with the United Nations with great interest.

There have recently been timely, highly constructive discussions among humanitarian actors about how to increase the security of personnel while maintaining a presence in difficult field situations. We attach great importance to the efforts and recommendations proposed by the Secretary-General on how to strengthen the United Nations security management system. In particular, we support the emphasis placed on decentralization in the field. This should begin to respond to certain concerns expressed by humanitarian actors. We invite the United Nations humanitarian agencies to support the reformed security management system and to ensure that it responds to their needs.

It is important to clarify the interrelationship between political, humanitarian and military actors. The clarification of each role is tied to the evolving security context in the United Nations. This has notable effects on humanitarian coordination in the field. States must continue to ensure that military activities do not inadvertently undermine humanitarian principles and activities. The guidelines on civil-military coordination issued by the Office for the Coordination of Humanitarian Affairs (OCHA) are a useful reference.

(*spoke in French*)

In principle, Canada supports the concept of integrated missions but believes that determining when recourse to that kind of mission is required should be facilitated by increased dialogue with United Nations humanitarian assistance actors. Integrated missions make it possible to react to crises in a more consistent and effective manner, in particular by taking humanitarian factors into account in political decisions and by strengthening the protection of civilians. The success of such missions depends on solid cooperation between political, peacekeeping, humanitarian and development segments of the United Nations under the critical leadership of the Special Representative of the Secretary-General and the humanitarian and resident coordinators. We are pleased that OCHA and the Department of Peacekeeping Operations are working together to assess the experience acquired to date in implementing integrated missions.

Providing timely, flexible resources that are proportional to the needs of various crises remains a difficult objective to achieve. For the past year, donors have made constant progress in pursuing the Good Humanitarian Donorship initiative. Donors are endeavouring to establish a comprehensive definition of humanitarian action for statistical purposes and to harmonize the reporting requirements of humanitarian organizations. Last October, donors met in Canada to renew their commitment to making progress and to identify ways to give concrete expression to that commitment. The Good Humanitarian Donorship initiative is part of the long-term outlook, and its success will help improve the international response to populations in crisis situations.

While endeavouring to become better humanitarian donors, we are striving to respond more consistently to transition situations. Donors themselves often undermine their humanitarian assistance investments by not helping the target countries to implement the necessary foundations for lasting peace and stability when they emerge from a crisis. In that regard, we appreciated the discussions among States at the Economic and Social Council last July, and we believe that such dialogue must continue. We also believe that United Nations agencies must play a leadership role in helping the international community meet that challenge.

Again this year, millions of people throughout the world were seriously affected by natural disasters. Unfortunately, the hurricane season did not spare the Americas and Asia, and this is a sad reminder of our continued vulnerability in the face of such catastrophes. They demonstrated the benefits of relying on the strengths of existing multilateral, regional and local partnerships to avert disaster and to intervene in emergencies. More than ever, States play a central role in ensuring that natural disaster prevention is a top national priority.

In closing, I wish to say that effective humanitarian action is not an abstract concept. In the

field it finds direct expression in responding to the rights of people in danger. We must therefore take steps that are highly tangible as well as political. Many examples come to mind: ratifying and implementing international instruments that contribute to the protection of civilians, promoting General Assembly resolutions that allow for improved international response, and building the capacities of both countries in crisis situations and the organizations that support them. Because of its fundamental importance, Canada will continue to promote more effective humanitarian action.

Mr. Kim Sam-hoon (Republic of Korea): Before I begin my statement, I would like to take this opportunity to extend my deep condolences to the people of Palestine on the passing away of President Yasser Arafat early this morning.

I would like to begin by commending the Secretary-General for his unswerving dedication to the Organization's work on behalf of the world's needy peoples. I also thank the Under-Secretary-General, Mr. Jan Egeland, and his staff at the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) for their focused approach in dealing with the issue of coordinating emergency humanitarian assistance. We believe that, with strengthened coordination, humanitarian assistance will more effectively reach those in need, and we fully support that important goal.

The importance of cooperation and coordination among United Nations agencies in humanitarian work cannot be overstated. In the area of disaster management and risk reduction, we believe that humanitarian and development organizations should work together and strengthen coordination so that they may make better use of lessons learned. This knowledge-sharing will allow them not only to respond better to immediate crises but also to more systematically develop institutional and legislative risk reduction mechanisms.

Furthermore, information management is a critical component of emergency response because effective emergency response depends on access to timely and reliable information. In that regard, my delegation fully supports the efforts of the Inter-Agency Task Force on Disaster Reduction to standardize, aggregate and link disaster-related data from various sources.

The recent kidnapping of three United Nations election monitors in Afghanistan underscores the point that the work of the United Nations in assisting people in need around the world has become an immensely dangerous endeavour. The Republic of Korea believes that there is no higher priority for the United Nations as an organization than to ensure the safety and security of its own personnel. Indeed, in many parts of the world, security is a prerequisite for programme delivery. Moreover, lack of security and inadequate attention to the safety of United Nations and local staff in the field can have pernicious effects, such as eroding staff morale and stifling initiative. Accordingly, we express our deep concern at the recent heightened attacks against the United Nations and other humanitarian personnel. There can be no excuse for such horrific actions towards aid workers, and we hope to see the perpetrators of these attacks brought to justice as soon as possible.

In this regard, the Republic of Korea welcomes the Secretary-General's recent initiative to strengthen security for United Nations humanitarian assistance and other staff in response to the new security climate. We believe that many of the Secretary-General's proposals, such as an integrated security structure at the field level and at Headquarters, merit serious consideration. At the same time, there are some aspects of the proposal that require further clarification. We look forward to participating in a rigorous discussion on the Secretary-General's initiative.

As the Secretary-General rightly pointed out, gender differences and inequalities influence the capacities and vulnerabilities of affected populations and affect the overall effectiveness of humanitarian response. In this connection, we support the renewed efforts to strengthen gender analysis in the common humanitarian action plans. Moreover, it is essential for us to ensure that projects included within the Consolidated Appeals Process (CAP) coincide with an agreed analysis of priority needs and response.

Nevertheless, we are concerned that there continue to be serious gaps in integrating gender into humanitarian response and assistance. The systematic implementation of gender mainstreaming guidelines in field operations remains weak. There is also a need to incorporate gender and age-disaggregated data into each key sector of the planning of humanitarian assistance. In all of these efforts, my delegation believes it is essential that we remain cognizant of

women's unique role and plight in emergency situations and that we tailor our response accordingly. Gender is not a discrete issue to be tackled independently. Rather, it is central to our efforts to provide effective humanitarian assistance during emergency situations.

In an era of scarce and dwindling resources, the Republic of Korea attaches great importance to the transparent and appropriate allocation of humanitarian assistance funds. We support the Good Humanitarian Donorship initiative, which aims to ensure that humanitarian assistance is provided in accordance with humanitarian principles and based on demonstrable needs. Furthermore, we anticipate that the needs assessment framework and matrix, recently developed within the Consolidated Appeals Process, will allow country teams to better organize information on beneficiaries. Moreover, my delegation is of the view that the stringent monitoring of humanitarian assistance funds disbursed during emergency situations is crucial to ensure the optimal utilization of scarce resources. For this reason, we remain strong supporters of the Appeals Process system, because we believe that it helps ensure that humanitarian assistance actually reaches those in need.

New and complex emergencies are increasingly characterized by interrelated humanitarian crises. Effectively tackling these emergencies requires viewing humanitarian assistance as one component in a long-term effort towards rehabilitation and development. Accordingly, a focus on the broader transition from relief to development is vital to ensuring long-term success. In this regard, we underscore the importance of finding the appropriate balance between short-term quick-impact projects and longer-term institution-building, particularly in an environment of scarce resources.

The complex emergencies of the twenty-first century demand new multifaceted solutions. Strengthening the coordination of humanitarian assistance during these emergencies should remain a key priority of the United Nations, and the Republic of Korea firmly pledges its support towards this end.

Mr. Sinaga (Indonesia): Allow me at the outset to express my delegation's deep condolences to the Government and people of Palestine with regard to the passing away of President Yasser Arafat today.

My delegation wishes to express our sincere appreciation for the reports of the Secretary-General on humanitarian assistance issues (A/59/93, A/59/374). My delegation notes with concern the scale and large number of natural disasters that occurred in 2003 and 2004, which have affected more than 284 million people and caused more than $65 billion worth of material damage. We are pleased that the timely and effective response by Governments and the international community to these disasters has continued to be critical in saving lives and mitigating their effects. We also support the efforts of the United Nations to expand the participation of Member States in its disaster response network as well as foster a regional approach to natural disaster response.

Current trends in urbanization, environmental degradation and climate change imply that natural and man-made emergencies will continue to increase in their regularity and intensity. In this regard, we as Member States need to improve our response, capacity and preparedness so as to reduce vulnerability. We need to continue to improve disaster management abilities and enhance regional capacity while embracing risk reduction as a core principle.

Allow me to turn now to the issue of humanitarian assistance given to countless undergoing or emerging from a humanitarian crisis, induced by conflict or natural causes. While I confirm my delegation's appreciation to the United Nations for its support of the countless people affected by natural and man-made disasters, we are concerned that the global level of financing for humanitarian operations often remains insufficient, especially in African countries, where the magnitude of the problem is considerable. Beyond this, the core issue in the transition from relief to development is that funds are often insufficient for implementation programmes.

Indonesia would like to emphasize the importance of enhanced international cooperation, including through the United Nations and regional organizations, with the consent of the affected countries and according to the principles of humanity, impartiality and neutrality, as guaranteed by international law and emphasized in General Assembly resolution 46/182 of 19 December 1991. That would assist countries in their efforts to build capacity and help them to predict, prepare for and respond to natural disasters.

International awareness of humanitarian problems has grown considerably over the years. In that connection, many Governments have greatly improved their preparedness in, for example, facilitating the return and resettlement of refugees and internally displaced persons.

Unfortunately, the same cannot be said with respect to the situation in Palestine. Despite the increasingly difficult humanitarian situation there, United Nations agencies continue to render assistance to the Palestinian people. Such assistance is provided under complex circumstances, characterized by closures, curfews, incursions and other measures imposed by the Israeli military, all of which negatively affect the well-being of the Palestinian people and hinder the efforts of the United Nations. Indonesia joins the community of nations in calling upon the Government of Israel to halt all actions that encroach on the territorial rights of the Palestinians, to strictly observe the provisions of international law and to implement the road map.

Furthermore, it must be emphasized that the Office of the United Nations High Commissioner for Refugees (UNHCR) should remain a purely humanitarian and non-political agency. Humanitarian assistance must be delivered only with the consent of the affected country and with respect for the sovereignty, territorial integrity and national unity of States. We must maintain the practice that the affected State must have the primary role in coordinating humanitarian relief efforts, with UNHCR providing support as requested by the State.

Mr. Kulyk (Ukraine): At the outset, I would like to commend the Secretary-General for the thorough analysis and action-oriented recommendations contained in his report on strengthening the coordination of emergency humanitarian assistance of the United Nations (A/59/93).

My delegation notes with satisfaction the expanded activities of the Office for the Coordination of Humanitarian Affairs (OCHA) and the efforts to strengthen the role of the Inter-Agency Standing Committee as one of the key mechanisms for policy alignment and integrated response on the part of all United Nations agencies.

Looking back at developments over the past year, one should recognize the persistence of serious humanitarian challenges. Restricted humanitarian access, non-compliance with international humanitarian law and humanitarian principles and continued attacks on humanitarian workers could all again be mentioned in that regard, but it is even more disturbing that humanitarian concerns such as the spread of HIV/AIDS, sexual exploitation and the abuse of civilians in humanitarian crises have been looming large.

My delegation appreciates the progress made in strengthening the United Nations response in the areas of emergency preparedness, contingency planning and disaster management at both the system-wide and the field levels.

As the Secretary-General's report emphasizes, the past year saw a number of tragic losses of humanitarian personnel and alarming disrespect for their work and special role. Such a climate of insecurity cannot be tolerated. My delegation takes this opportunity to urge the Governments and parties concerned to fully ensure the safety and security of humanitarian staff and the legal prosecution of those responsible for attacks against United Nations personnel.

Ukraine is concerned at the alarming spread of the HIV/AIDS epidemic in humanitarian crises, which further amplifies the suffering of the civilian population. It is particularly discouraging that HIV/AIDS, coupled with famine and natural disasters, is driving ever-larger parts of nations towards destitution. In that context, we would like to stress the need to ensure the full and effective implementation of the General Assembly's Declaration of Commitment on HIV/AIDS, which sets the stage and the agenda for dealing decisively with the epidemic in conflict situations. Integration of HIV/AIDS considerations into humanitarian programmes, beginning with consolidated appeals and humanitarian action plans, are also essential to facilitate a comprehensive response to HIV/AIDS in emergency settings.

Efforts to address that problem will be more successful if they are reinforced by concrete action on the part of Member States, particularly by developing national strategies that address the spread of HIV among humanitarian workers and international peacekeepers. As one of the major troop-contributing countries to United Nations peacekeeping operations, Ukraine has been among the first to incorporate HIV/AIDS awareness, prevention and safe behaviour in predeployment training for its peacekeeping units.

With respect to humanitarian financing issues, my delegation notes with appreciation the reported progress in a number of areas under the Good Humanitarian Donorship initiative. We welcome the development of the United Nations Needs Assessment Framework and Matrix and the work on a commonly agreed definition of what constitutes humanitarian assistance and component elements. In our view, it is equally important to ensure that the assistance provided is effectively managed and channelled to the priority areas.

We would also like to stress the need for better alignment between humanitarian assistance and long-term development strategies. The establishment of a standing mechanism comprised of the secretariats of the Executive Committee on Humanitarian Affairs, the United Nations Development Group and the Executive Committee for Peace and Security is only a partial response to the needs of ensuring effective transition from relief to development. Therefore, ways to enhance cooperation between humanitarian agencies and development institutions should be further explored.

With respect to the transition from relief to development, I cannot but refer to the experience of Ukraine in mitigating the consequences of the Chernobyl disaster. Now, more than 18 years after that tragic accident, the impact of the catastrophe on the lives of millions of affected people continues to pose an enormous challenge to my country. My delegation believes that the recent transfer of coordination functions for Chernobyl-related activities of the United Nations from OCHA to the United Nations Development Programme will stimulate resource mobilization and enhance the impact of the programmatic activities in this field. We also strongly hope for the continued support of the donor community in funding relevant development and health projects in the field.

As we attach special significance to the role of the United Nations in strengthening the international response to the consequences of the Chernobyl catastrophe, Ukraine, together with other interested delegations, took the initiative of planning a special plenary meeting in the spring of 2006, within the framework of the sixtieth session of the General Assembly to honour the victims of the Chernobyl disaster and to raise public awareness about the long-term consequences of the catastrophe. I hope the initiative will be supported by all Member States, and I encourage representatives of civil society, the private sector and the donor community to intensify their efforts in addressing Chernobyl-related problems.

In that context, my delegation would like particularly to highlight the increased role of non-governmental organizations (NGOs). Among recent examples, I am pleased to note that the Ukraine-based international NGO Chernobyl Union, which unites 7 million people affected by the Chernobyl catastrophe, presented its Mercy Ambassador award medal to the Secretary-General of the United Nations for his outstanding efforts aimed at mitigating and minimizing the long-term consequences of the Chernobyl disaster.

Mr. Sawford (Australia): Today, in too many places around the world, communities are affected by crises, natural disasters and conflict. This has a very human cost, but it also sets back development and undermines efforts to reduce poverty and achieve sustainable development. Australia continues to provide rapid and generous support for the survivors of crises and disasters, both within our region and globally. We contribute to relief efforts for emergencies wherever they occur, but our highest priority is the Asia-Pacific region, a region that is often ravaged by natural disasters and that is not immune to conflict. Member States are focusing on how best to ensure the most effective response to humanitarian needs. I would like to highlight seven of the issues Australia considers essential in this area.

The first is the protection of civilians. Protection of civilians affected by armed conflict is primarily the responsibility of national Governments. Sadly, we need look no further than Darfur to see evidence of how violence, especially sexual violence, has become a deliberate tactic to terrorize communities. The use of rape in conflict is particularly abhorrent.

The second is to improve security and access for humanitarian personnel. Humanitarian assistance cannot be delivered if those delivering it are not able to operate safely. But the very nature of humanitarian action means that it is often needed most in areas of instability. The challenge is to manage the risk effectively. We know that the Secretary-General has also made this a priority in his consideration of new measures to ensure the safety of United Nations personnel.

Third, we must integrate humanitarian assistance into the broader United Nations response to complex emergencies, but in a way that upholds humanitarian principles. More needs to be done to better define, assess and operationalize integrated missions. Australia is pleased to be supporting the review, addressing just these issues, conducted jointly by the Office for the Coordination of Humanitarian Affairs, the Department of Peacekeeping Operations and the United Nations Development Group.

The fourth issue is using humanitarian response to lay the groundwork for recovery and reconstruction. Saving lives is only the beginning. Recovery must be a shared priority for humanitarian, development, peace and security actors. We are supportive of the focus that the United Nations is giving to transition and are keen to contribute actively to discussions on these issues.

The fifth is to find more effective ways to respond to natural disasters, to prevent, prepare for and mitigate their effects and to integrate disaster risk reduction into national development strategies — a key point for next year's World Conference on Disaster Reduction, to be held in Japan.

Sixth, we must strengthen further the system for humanitarian coordination. Again, while some progress has been made, events in Darfur earlier this year, as agencies scrambled to meet vast humanitarian needs, indicate that there is still room for improvement, particularly in the area of preparedness.

Seventh and last, we must ensure that gender aspects are properly assessed and are integrated into the planning, implementation and evaluation of humanitarian action. We also recognize the critical part women play as peace-builders. To find solutions which lead to lasting peace, we must find better ways to harness their potential as agents for positive change.

At the Economic and Social Council, Australia emphasized our support for the Office for the Coordination of Humanitarian Affairs and its role. I would like to reiterate that support here today. We look forward to continuing to work with the Office and other humanitarian actors within and outside the United Nations system. Our collective aims must be to strengthen humanitarian policy and advocacy, to increase the effectiveness and impact of humanitarian programmes and to define ways to effectively monitor our performance. The ultimate goal of all of this, of course, is to improve the outcome for people affected by conflict, crisis or disaster.

Ms. Feller (Mexico) (*spoke in Spanish*): I would like to echo the expression of condolences extended to the Palestinian people by the Chairman of the Group of Latin American and Caribbean States upon the death of President Yasser Arafat.

More than 2,500 deaths were caused by the hurricane season which struck the Caribbean barely a month ago, in addition to the thousands of injured and the almost total destruction of infrastructure. We know that most of the deaths occurred among the poorest section of the population, who were without access to information or basic services.

In the past 12 months, approximately 285 million people have been affected by natural disasters, and the property losses amounted to $65 billion. Those are extremely disquieting figures, especially because, in spite of the tremendous efforts of the international community, the frequency with which these disasters take place has markedly increased — and with it, the number of victims.

It is vital for us to stop just reacting to the situation and to develop specific long-term plans of action. As in many other areas, our capacity to respond to natural disasters will improve in proportion to our efforts to promote development. In this regard, and as part of a comprehensive strategy, we need to focus our efforts as States and as the international community on guaranteeing full access to basic health services, education and information for the most marginalized populations.

Likewise, the effectiveness of early warning mechanisms will be gauged by the extent to which they involve members of the communities in disaster-prone areas, especially those that are particularly vulnerable because of poverty and social exclusion.

My delegation reaffirms the principles of humanity, neutrality and impartiality which govern the provision of humanitarian assistance both in cases of natural disasters and in complex emergencies. Likewise, we believe that it is the key responsibility of the State to initiate, organize, coordinate and provide humanitarian assistance in its territory. In that connection, our countries should step up their endeavours to create the right channels, both nationally and locally, to ensure rapid and efficient delivery of

assistance to victims as well as unrestricted access for humanitarian personnel to affected areas.

Similarly, it is the responsibility of States, in close cooperation with civil society and humanitarian organizations, to identify exactly what assistance is needed to avoid an uncontrolled flow of aid, which ultimately would fail in its purpose.

At the same time, the setting of timetables for the provision of international assistance is another key point. That would ensure resources for the reconstruction phase, including matters of primary importance such as preventing epidemics, rebuilding and, above all, providing decent living conditions for victims.

The United Nations, particularly the Economic and Social Council, must strengthen its leadership and coordination capacities with regard to the endeavours of the international community in this regard. We believe it is important to recognize the significant role played in such cases by the communication media and non-governmental organizations. For that reason, we believe that, in natural and humanitarian disasters, it is essential to establish channels of communication with all actors involved in prevention and in rebuilding, so as to share experiences, harmonize the indicators used to measure the effects of disasters and undertake comprehensive action.

It is no secret to anyone that the growing number of natural disasters is directly linked to the continuing destruction of our environment. Thus, it is essential to begin by carrying out national plans to protect the environment, as well as to ensure effective management of natural resources. My delegation would like to appeal to all States to sign and ratify the existing treaties in this area, particularly the Kyoto Protocol, whose full implementation would make a significant contribution to stabilizing our ecosystem.

Lastly, I wish to stress that humanitarian assistance is a collective undertaking. It must be carried out in accordance with international law and international humanitarian law. Rarely has the international community shown as much solidarity, as in cases of natural disaster, where political and other interests take second place. That should be the general pattern in all cases of humanitarian emergencies. We need to continue to redouble our efforts to set up a clear and more effective strategy for averting tragedies that we can prevent.

Mr. Bantar (Mongolia): Let me begin by expressing my condolences on behalf of the Government and people of Mongolia to the bereaved family and the Palestinian people on the passing away of their father, husband and leader, the late President Yasser Arafat.

My delegation wishes to commend the Secretary-General for his reports on the agenda items under consideration. Mongolia associates itself with the statement delivered earlier by the representative of Qatar on behalf of the Group of 77 and China.

During the past decade, natural disasters have increased worldwide. The sevenfold increase in disaster fatalities in 2003, as compared with the previous year, is a grim reminder of the immense power of natural disasters. The past year has witnessed different types of natural disasters in various parts of the world, mostly in developing countries. According to the World Disasters Report 2004, when disasters occurred in countries with high human development, an average of 44 people were killed per event, while 300 people per event were killed in countries with low human development. However, when natural hazards take place, they do not discriminate between rich or poor countries. Disasters are a humanitarian challenge and an impediment to achieving the Millennium Development Goals.

Humanitarian action and disaster reduction is one of the core functions of the United Nations. The role of the United Nations in advocating principles of neutrality, impartiality, humanity and respect for the sovereignty of States during humanitarian activities is very important. Humanitarian problems should be solved through international cooperation and a common approach.

We share the concern regarding the increased involvement of commercial organizations and military forces in relief activities. The relevance and consequences of the provision of humanitarian assistance by military actors should be studied carefully.

We welcome the Organization's effort to respond to disasters with coherence and effectiveness, while integrating immediate relief measures with long-term strategies for disaster prevention. The strengthening of the coordination of the humanitarian and disaster relief assistance of the United Nations greatly depends upon increased support from the extended donor community.

Meanwhile, the United Nations needs to further explore mechanisms to ensure that there are appropriate resources for humanitarian activities. Mongolia supports and stresses the importance of the Good Humanitarian Donorship initiative.

Natural hazards cannot be avoided, but their dramatic consequences can be greatly reduced through appropriate preparedness and risk-reduction measures, including education, technology development, land-use planning and environmental protection. Devising indicators and targets to monitor and to evaluate the responses to natural disasters, at the national and regional levels might be a useful exercise as part of the endeavours to achieve the Millennium Development Goals.

The utilization of modern technology, especially the Internet for early warning and alert systems, should be further explored and introduced in the field. We welcome the new Platform for the Promotion of Early Warning, which was established in Bonn under the auspices of the International Strategy for Disaster Reduction.

The passing year witnessed dramatic and disturbing occasions when humanitarian personnel were directly attacked while performing their noble duty. Safety and security are essential preconditions for the delivery of humanitarian assistance. Regarding national measures taken to prevent and respond to security incidents that involve the United Nations and its associated personnel, Mongolia acceded to the Convention on the Safety of United Nations and Associated Personnel in February 2004.

Mongolia is vulnerable to a variety of natural disasters such as severe snowfalls, droughts, flash floods and earthquakes. At the start of the new millennium, Mongolia had already been hit hard by three years of countrywide droughts in summer and by calamitous winters. In particular, the economically vital livestock industry was devastated. The country is still trying hard to recover from that disaster. Mongolia is grateful to the United Nations and other donors for the assistance they have given and for the positive response to the joint appeal by the United Nations and the Government of Mongolia during that time.

Furthermore, I would like to note our appreciation of the work of the United Nations to strengthen and develop a variety of disaster response tools for assisting and supporting national response capacity. Here I would like to particularly underline the ongoing project by the United Nations Development Programme (UNDP) and other international partners in developing a long-term strategy and building institutional capability for disaster preparedness and management in Mongolia.

With the support of the UNDP, the Government of Mongolia has taken important steps. We have moved from military to civilian control of disaster management, with the adoption of a new Law on Civil Protection in June 2003, and the establishment of the National Disaster Management Agency in January 2004.

The natural disaster response capacity of Mongolia is still in need of improvement. More importantly, it is the people who must be prepared because the measure of our success will be the reduction of people's dependence on handouts and appeals and their ability to create the livelihoods of their choice without fear of disaster.

The Government of Mongolia appreciates the July 2004 mission by the United Nations Disaster Assessment and Coordination Standby Team (UNDAC), which analysed disaster response in my country. The team's recommendations, contained in the report, are valuable and practical for improving disaster response systems.

We have taken note of the UNDAC team's precaution that the natural disaster with the greatest impact in Mongolia would be an earthquake in Ulaanbaatar, the capital city of Mongolia, in which a considerable number of the entire population reside. Thus, we are looking forward to cooperation with our international assistance partners in building urban and rescue capacity in Mongolia.

In conclusion, my delegation would like to express my country's full support and further cooperation with the United Nations in discharging its life-saving tasks in the humanitarian field. My delegation believes that the World Conference on Disaster Reduction, to be held in January 2005, in Kobe, Japan, will become a milestone in advancing our common interest in disaster reduction. The Mongolian delegation is prepared to participate actively in that conference.

Mr. Kamanzi (Rwanda): Allow me to begin by joining other delegations in expressing my

Government's condolences to the Palestinian Authority and the Palestinian people on the death of their leader, President Yasser Arafat.

My delegation would like to align itself with the statement delivered on behalf of Member States of the African Union by the representative of Nigeria, and the statement delivered by the representative of Qatar on behalf of the Group of 77 and China.

The General Assembly is aware that the 1994 genocide in Rwanda completely decimated the social, economic and political fabric of the country. Ten years, later as a result of the noble and concerted efforts of the Government of Rwanda and some members of the international community, progress has been achieved, in both economic and political terms. However, the most vulnerable members of our society, the survivors of the genocide — particularly the orphans, widows and victims of sexual violence — continue to suffer from the effects of the genocide and live desperate lives characterized by poverty, disease and hopelessness.

The Rwandan Government has worked tirelessly to improve the conditions of life and health of the genocide survivors. Since 1994, it has allocated 5 per cent of its annual expenditures to assisting groups of genocide survivors. However, this Assembly is aware that Rwanda has limited means, and while we recognize and appreciate the support that the international community has given us in this area so far, we would like to note that living conditions for the genocide survivors remain desperate.

On behalf of the Government and people of Rwanda, we would therefore like to call upon all Member States to support the draft resolution the African Union intends to introduce under agenda item 39 (a), entitled "Strengthening of the coordination of emergency humanitarian assistance of the United Nations".

Finally, in view of the serious situation in which survivors of the genocide find themselves, my Government would like to appeal to members of the General Assembly to begin to consider how they can work with United Nations agencies, funds and programmes to support the survivors of the 1994 genocide in Rwanda.

Mr. Zenna (Ethiopia): Sir, allow me to express my deepest sorrow on the passing away of a great leader, President Yasser Arafat, and to express my condolences to the people, the Government and the family of the late President.

I wish to extend my sincere appreciation to the Secretary-General for his revealing report, entitled "Strengthening the coordination of emergency humanitarian assistance of the United Nations", as contained in document A/59/93. I would like to share with the Assembly our experience in humanitarian assistance in the area of coordination and transition from relief to development and partnership.

It is to be recalled that the frequently occurring drought in Ethiopia made 13.2 million people vulnerable to an acute food crisis in 2003. However, through the coordinated and collaborative efforts of the Government of Ethiopia, the agencies, funds and programmes of the United Nations system, the donor community, non-governmental organizations and other entities, the food crisis was effectively curtailed. Therefore, let me seize this opportunity to thank all our partners for their cooperation and partnership in helping Ethiopia to avert the threatened food crisis of 2003.

In spite of the enormous amount of activity that was deployed to reverse the potentially devastating 2003 situation, natural calamities continue to impede our efforts to mitigate the effects of drought. According to an assessment made by the United Nations multi-agency team, some 10 per cent of the population, or about 8 million people, currently remain vulnerable and in need of emergency relief assistance. Based on that assessment, crop failure exists in different parts of the country due to unfavourable rains during the so-called "belg" season.

Several areas are of special concern, including the Somali region, East and West Hararghe, and the Southern Nations, Nationalities, and Peoples Region (SNNPR). Some of the zones in the SNNPR most affected by the serious drought of 2002-2003 are again under serious threat. The season's crop performance by the SNNPR was the poorest, with an estimated yield loss ranging from 50 to 90 per cent. The physical status of livestock is reported at the moment to be generally good, due to the availability of failed crops as livestock feed resources, as well as occasional rain, but there is no certainty how long those conditions will last. In general, the food security prospects are extremely poor, and, according to the assessment of the multi-agency

team, around 500,000 metric tons of food aid is required.

In the area of non-food requirements, an effective way to conduct the assessment is required. In that regard, coordination needs to be strengthened with respect to non-food needs assessment and needs determination, as well as on resource mobilization for capacity-building. In order to have a better articulated managerial system for the assessment, implementation and monitoring of non-food assistance, coordination between the Government and other stakeholders, including United Nations agencies, needs to be enhanced.

The underlying causes of food insecurity and issues of recovery, assets protection and sustainable development of the affected areas in my country must be addressed. In that connection, the Government has continued to exert maximum efforts to mitigate the effects of recurrent drought. From the launching of the Poverty Reduction Strategy Papers and prioritizing and implementing the food security strategy to strengthening the Early Warning System, the Government continues relentlessly in its efforts to mitigate the effects of drought. In that regard, my Government takes this opportunity to thank the international community for its prompt support to our long-term solutions, in accordance with General Assembly resolution 58/24. Also, in this connection, we commend members of the Group of Eight for their statement of commitment at their recent annual meeting to end famine in Ethiopia and the Horn of Africa.

Finally, in underscoring the importance of partnership, let me share with you what the Prime Minister of Ethiopia recently stated in relation to Ethiopia's Action Plan to meeting the Millennium Development Goals as they apply to hunger:

> "We have agreed with our development partners that the farmers will need support to the tune of $500 million a year for five years if we are to achieve our objective of ensuring food security within that time. There has also been an understanding that the Ethiopian Government should cover 40 per cent of the cost from its own revenue. We have in our most recent budget allocated slightly over $230 million, which is more than 40 per cent of the required cost. Likewise, many of our development partners are beginning to respond quickly and generously. As long as we all do our share, I am confident that implementation will be as good as the strategy we have articulated and that, therefore, we will attain our objective of achieving food security within five years."

Ethiopia has presented a draft resolution under this item, and we are counting on the support of all Member States.

Mr. Shacham (Israel): Israel understands that today is a day of profound sorrow for our Palestinian neighbours. Yet this day also presents an opportunity for renewed momentum in a quest for peace between our two peoples. We hope that all parties will seize this opportunity to fashion a better future together.

I will confine my comments today to agenda sub-item 39 (c), "Assistance to the Palestinian people".

Israel shares the belief of the international community that all people, in the Middle East and elsewhere, should be able to live prosperous and full lives in security and peace, with standards of living befitting universal human dignity. The Palestinian people, of course, are no exception to that. On the contrary, Israel is particularly interested in the conditions of all our neighbouring communities, especially the Palestinians. Well-being within a nation helps to foster harmony between nations. The Palestinian people are not our enemies; they are our neighbours, and we seek to live side by side with them in mutual respect and mutual dignity. Both Israelis and Palestinians deserve to live in security and in peace. The suffering of both peoples is a humanitarian problem, and the right of both peoples to self-determination must be respected.

In exceedingly difficult security conditions, Israel continues to do all that it can to help the Palestinian people meet their humanitarian needs. That ranges from direct financial and humanitarian assistance to participation in multilateral endeavours alongside other members of the international community, and to the serious consideration given to humanitarian needs within the context of Israel's security imperatives. Let us not forget, after all, that Israel does that while confronting a brutal Palestinian terror campaign against its citizenry — a war that, in subverting any chances for peace, does immense harm to both the Palestinian and Israeli peoples, a battle against terrorists who have no respect for life or for law and

whose violence endangers Palestinian lives just as it targets Israeli ones.

This terror is of no assistance to the Palestinian people. It is terror that causes hardship, not hardship that causes terror. It is terror that is the enemy of peace and the enemy of the Israeli and Palestinian peoples alike. It is terrorism that makes humanitarian assistance and progress towards peace so difficult. It is the terrorists who hide among civilians and see any humanitarian gesture as merely an opening for further attacks. That is the difficult reality in which humanitarian assistance to the Palestinian people must be examined. Israeli security measures are made necessary by that reality, and the humanitarian situation cannot be properly considered without an appreciation of the context and the causes that have brought it about.

The report before us recognizes some of Israel's contributions and sacrifices, as well as some of the difficulties it faces because of its constant need to balance the humanitarian needs of the Palestinians with the security needs of Israelis. As the report notes in paragraph 7, "The Palestinian Authority did not bring an end to violence and terrorism. It failed to reform its security apparatus according to provisions of the road map". And because of that, the report states in paragraph 9, "Reprehensible terrorist attacks by Palestinian groups continue to visit carnage and fear on Israelis". The report also notes in paragraph 52 that "data showed a clear relationship between political or security developments and the severity of access restrictions", because those restrictions are not arbitrary but rather come out of a response to terrorism. Accordingly, as the report notes in paragraph 88, "Effective steps by the Palestinian Authority to lessen Israel's security concerns would facilitate" the effort to improve the conditions of the Palestinian people.

Israel has done its utmost, together with the donor community and international organizations, to promote assistance to the Palestinian population. Yet, as the report notes, as soon as new humanitarian arrangements are put into effect, terror groups find a way to use them to their own advantage to carry out violent attacks against Israelis. One example, discussed in the report, is the smuggling earlier this year of terrorists — who were hiding in a shipping container — into an Israeli port, where they embarked upon a shooting rampage, killing and wounding several Israeli civilians.

Until a Palestinian leadership emerges that is willing and capable of acting to eliminate the terrorism that constantly disrupts the hopes for peace in the region, Israel will work to help the Palestinian people, even as it works to maintain the safety of its citizens. Problems remain and dilemmas are faced in the light of the continuing terrorist threat, but Israel is committed to facilitating and assisting the improvement of the humanitarian situation.

We are pleased to say that this year revenues have been transferred from Israel to the Palestinian Authority on schedule each month, accounting for nearly $50 million monthly. Israel has developed a much more efficient working relationship with humanitarian organizations on the ground, and new operating procedures have been instituted at checkpoints and crossing points to speed the transfer of humanitarian shipments, such as ambulances and the like. In addition, special trucking terminals now operate between the West Bank and Israel to provide an ongoing system of transport for produce and other goods.

Some 25,000 Palestinian workers and merchants enter Israeli daily from the West Bank and Gaza, with nearly 20,000 more working in Israeli communities within those territories and in the industrial parks adjacent to them. Trade with Israel accounts for more than 80 per cent of the trade of the Palestinian Authority. We feel, and act on, a responsibility towards our neighbours. In fact, despite the continuing campaign of terrorism, trade between Israel and the Palestinian Authority increased by 16 per cent from 2002 to 2003. In a further effort to ease the economic burden on the Palestinian people, and despite the security challenges involved, Israel facilitates transportation and crossings between Palestinian areas and neighbouring countries — for example, the Rafah crossing to Egypt and the Damia and Allenby bridges to Jordan.

Perhaps the most important initiative that Israel is taking upon itself to alleviate the situation is the disengagement plan. Prime Minister Sharon's bold and courageous plan — which was recently ratified by the Knesset, Israel's parliament — involves the dismantling of civilian localities and military installations in Gaza and the northern West Bank by the end of next year. It aims to stabilize the humanitarian and security situation, providing Israelis with greater security, providing Palestinians with

greater control over their lives and facilitating greater freedom of movement for people and goods.

As the international community — including the Quartet — has recognized, the disengagement plan has the potential to jump-start the peace process and to bring both sides back to the course projected by the road map. We are hopeful that, by facilitating greater Palestinian self-determination and by urging the Palestinian leadership to live up to its own obligations and commitments, the peace process can regain its footing. It can and must be hoped that that initiative, combined with a return to the road map, will facilitate a true form of assistance to both the Palestinian and Israeli peoples.

As Prime Minister Sharon said in his statement on the eve of the adoption by the Knesset of the disengagement plan on 25 October:

> "I have repeatedly and publicly said that I support the establishment of a Palestinian State alongside the State of Israel. I have repeatedly and openly said that I am willing to make painful compromises in order to put an end to this ongoing and malignant conflict between those who struggle over this land, and that I would do my utmost in order to bring peace. ...
>
> "We have no desire to permanently rule over millions of Palestinians ... Israel, which wishes to be an exemplary democracy, will not be able to bear such a reality over time. The disengagement plan presents the possibility of opening a gate to a different reality".

All those measures, and the significant assistance of the international community, are important — but none are a substitute for peace. Neither the Israeli nor the Palestinian people will realize the prosperity, the security and the dignity they deserve until there is an end to the brutal strategy of terrorism and a commitment to resolve outstanding issues in a spirit of mutual recognition and mutual compromise. No peace can come without a Palestinian leadership focused on the creation of a viable, democratic, accountable and peaceful Palestinian State, rather than one focused on the demise of the Israeli State.

Part of the assistance provided to the Palestinian people must, therefore, involve a concerted effort to bring an end, finally and irreversibly, to the morally bankrupt strategy of terrorism that has brought untold suffering to both Israelis and Palestinians. It must encourage an approach that seeks to build Palestinian institutions committed to coexistence, not conflict. With a reformed leadership that is ready to take responsibility and is ready to treat victimhood as a condition to be remedied, rather than a strategy to be fostered, the Palestinian people will find in Israel a willing, responsible and committed negotiating partner for peace, in accordance with the Road Map process. This is the path to true peace, security and stability for both peoples and one that we must all work towards.

The President (*spoke in French*): In accordance with General Assembly resolution 45/6 of 16 October 1990, I now give the floor to the Observer of the International Committee of the Red Cross.

Mr. Paclisanu (International Committee of the Red Cross): On behalf of the International Committee of the Red Cross (ICRC), allow me to thank you, Mr. President, for giving me the floor at this fifty-ninth session of the United Nations General Assembly.

The ICRC wishes to take this opportunity to briefly share, at the outset, its views concerning present-day conflict environments and the approaches we have adopted, with the aim of rendering humanitarian action both more effective and safer.

Today's conflict environment is mainly characterized by the number and complexity of non-international armed conflicts, sometimes with external involvement. In certain parts, there is an increasing polarization taking place. This renders the acceptance of independent and neutral humanitarian action extremely difficult, because it engenders the conviction that all involved in such action are in fact taking sides. This conviction is further reinforced when humanitarian action is seen as being instrumentalized through its integration by State actors as an additional tool in the pursuit of their military strategy and political objectives. As a consequence, there is a risk that humanitarian principles will be eroded, that humanitarian action will be rejected and that the security of humanitarian personnel will be seriously compromised.

The ICRC, therefore, strongly believes that, in order for it to fulfil the mandate it has received from States to protect and assist victims of armed conflict, the neutrality and independence of humanitarian action must be vigorously defended. Humanitarian work must be independent, i.e. distinct from political decision-

making processes and perceived as such. It must be neutral in that humanitarian action and political-military action should be kept clearly separate, avoiding the blurring of lines produced by the integration of humanitarian responses into an overall military strategy. For these reasons, the ICRC cannot subscribe to approaches that combine political, military and humanitarian tools in the midst of armed conflict or violence.

In this regard, the ICRC insists on respect for the identity, mandate and operating principles of each separate actor. The extent of its coordination on the ground with other actors would thus depend on the degree to which the perception of the ICRC as a neutral and independent organization can be preserved.

In our view, the ICRC's choice to retain impartiality, independence and neutrality as key principles of its identity and action forms a good basis for coordination, which needs to rely on a clear repartition of roles and responsibilities among various actors. This is an essential ingredient for realistic and meaningful humanitarian coordination, which, in the face of the dimensions and complexity of humanitarian needs, is necessary in order to render humanitarian action more effective. This is the ultimate and unique goal of all coordination efforts.

For the ICRC, coordination involves regular dialogue and consultation aimed at publicizing programmes and activities and avoiding duplication, at exchanging views and experiences that help contribute to improving responses and enhancing security. The ICRC considers that such complementarity among humanitarian actors flows from their distinct mandates, expertise and operating principles and methods. Within the framework of this approach, the ICRC coordinates with, but is not coordinated by, other humanitarian actors. This fact is vital for the ICRC, if it is to preserve its independence and neutrality, which underlies its acceptance by all parties to an armed conflict and thereby enables it to fulfil its specific mandate.

It is in this perspective that the ICRC participates in United Nations multilateral coordination mechanisms and structures, both at Headquarters and in the field, such as the Inter-Agency Standing Committee, of which it is a standing invitee, and the United Nations country teams. Through such regular dialogue and mutual consultation with other humanitarian actors on thematic issues and operational questions, the ICRC contributes to the common goal of more effective humanitarian action. At the bilateral level, for example, the ICRC/Office of the United Nations High Commissioner for Refugees high-level meetings have become a regular event. This year's June meeting saw discussions on humanitarian action and security in a changing conflict environment, as well as on cooperation between the two organizations on specific issues, such as resettlement of former combatants. Again, in August, two new documents guiding the relationship between the ICRC and the World Food Programme entered into force. These will significantly facilitate exchanges of information, knowledge and material resources between the two organizations.

Finally, the ICRC is convinced that it remains of vital importance to engage and maintain a transparent dialogue with all actors, while respecting the operating principles and distinct mandates of each, if humanitarian coordination is to bear its full fruits.

The President (*spoke in French*): In accordance with General Assembly resolution 47/4 dated 16 October 1992, I now give the floor to the Observer of the International Organization for Migration (IOM).

Mr. Dall'Oglio (International Organization for Migration): The International Organization for Migration (IOM) is pleased to contribute to these deliberations today as one of the agencies participating in the Inter-Agency Standing Committee, which, since the adoption of resolution 46/182, has become the principal mechanism for the coordination of operations related to humanitarian and relief disaster assistance. The support, protection and stabilization of populations forced to leave their homes because of conflict or natural disasters is an area in which IOM has, over the years, come to specialize. It is active in a number of areas relevant to both emergency response and transition phases.

IOM fully shares the recommendations made in the report of the Secretary-General on strengthening the coordination of emergency humanitarian assistance of the United Nations and would like to offer some comments on two issues we consider of particular relevance at this time.

First, we would like to observe that considerable efforts have been made over the past few months to improve the combined capacities of humanitarian

actors to provide a more timely, predictable and coordinated response to crises of internal displacement, starting with a more proactive field level response. In addressing crises associated with internally displaced persons, members of the Inter-Agency Standing Committee (IASC) have opted for a collaborative approach in recognition that such an institutional framework currently represents the most appropriate modality to mobilize the broad range of expertise available in the system.

Under the leadership of the Emergency Relief Coordinator, the commitment of all involved agencies to pursue the collaborative approach has gained momentum, and a number of tools to assist in its implementation have recently been developed. Among them, we would like to stress the relevance of the efforts to strengthen the Internal Displacement Division of the Office for the Coordination of Humanitarian Affairs (OCHA), a more vigorous and proactive role for the Humanitarian Coordinator in providing United Nations country teams with strategic coordination of protection and assistance to internally displaced persons, and the shared definition of a procedural road map for the assignment of tasks among IASC members.

In addition, the guidance note on durable solutions for displaced persons — refugees, internally displaced persons and returnees — recently developed by the United Nations Development Group represents a valuable measure to streamline population displacement issues into common country assessment and United Nations Development Assistance Framework (UNDAF) processes so as to facilitate transitional programming.

All of the above are useful, important and timely measures. They must now produce the expected results.

The situation in Darfur is an example of the complex coordination required to address a crisis of enormous proportions. Under the leadership of the Humanitarian Coordinator, IOM has recently initiated the development and implementation of the Management and Coordination Mechanism on the Voluntary Return of Internally Displaced Persons in Darfur, which will provide for appropriate monitoring and reporting mechanisms to ensure that the return of internally displaced persons remains safe, free and voluntary. This activity is pursuant to the signature on 21 August of a memorandum of understanding between the Government of the Sudan, IOM and the United Nations, which laid the basis for a commitment to the voluntary returns of internally displaced persons.

Secondly, for IOM, being part of the Consolidated Appeals Process — for which the global launch for 2005 took place just few hours ago — is another key element of our IASC involvement. IOM is in fact participating in five of the 14 appeals that have been launched today. Indeed, we recognize the Consolidated Appeals Process as a strategic planning and programming process, not just a resource mobilization tool. In all honesty, as the Secretary-General indicated, it is of concern that the pattern of response does not necessarily reflect real improvement in the process and the end product, nor does it necessarily reflect the most pressing needs.

I would like to conclude these remarks by reaffirming the value IOM attaches to its participation in the Inter-Agency Standing Committee and our support for the on-going collaborative efforts, including those described above, taken by the Emergency Relief Coordinator to advance a shared environment for the attainment of key humanitarian policies and goals. Finally, we take this opportunity to renew to Under-Secretary-General Egeland and to his team at OCHA, on behalf of IOM's Director General, our sincere appreciation for their professionalism, dedication and inclusiveness in their collaboration with our organization.

The President (*spoke in French*): In accordance with General Assembly resolution 49/2 of 19 October 1994, I now call on the Observer of the International Federation of Red Cross and Red Crescent Societies.

Ms. Powell (International Federation of Red Cross and Red Crescent Societies): This agenda item and the debate in the General Assembly plenary is in many respects the centrepiece of the presentations made by the International Federation of Red Cross and Red Crescent Societies (IFRC) in the United Nations each year.

Permit me to refer to my own country, Jamaica. We have recently experienced a need for properly coordinated humanitarian assistance. The Jamaica Red Cross, of which I am the President Emeritus, was profoundly involved in preparing for and responding to Hurricane Ivan, which struck in September. Once the hurricane's path was established, our staff and volunteers took part, along with the relevant

Government agencies, in meetings convened by the National Office of Disaster Preparedness. Community-based teams were trained prior to the arrival of the hurricane. Once it struck, we identified the people in need, managed the emergency shelters and prepared detailed assessments of the damage and requirements, which enabled vulnerability to be properly addressed.

The experience of Grenada illustrates the impact of Hurricane Ivan on our region. At least two thirds of the homes in Grenada were destroyed. The country's economy is traditionally based on tourism and cash crops such as nutmeg. Given that a nutmeg tree takes seven years to bear its first fruit, the economic impact of this disaster is clear. Once again, we see how important it is to integrate disaster preparedness and risk reduction into national development planning.

The debate this year takes place amidst rising concern on the part of agencies, Member States, non-governmental organizations and the communities themselves about the ways in which humanitarian assistance programmes are conceived and delivered. One of the main reasons for concern is that humanitarian assistance today is very different from what it was in the past.

Many important issues that the IFRC has advocated for decades have only recently been prioritized by Governments. It is fortunate that the Millennium Development Goals have placed a clear emphasis on vulnerability and need. That is perhaps the most important new development in how the international community considers humanitarian assistance.

As a regular participant in the work of the Inter-Agency Standing Committee (IASC), the IFRC has the advantage of being in constant dialogue with United Nations partners and others about the priorities and directions of humanitarian assistance. Our role, as the co-chair of the IASC Inter-Agency Task Force on Disaster Reduction, has brought forth some points worthy of note today by Member States and by the wider international community.

There are currently two important initiatives that which deserve special attention. One is the process known as good humanitarian donorship. It encourages the strengthening, effectiveness, efficiency and timeliness of humanitarian action, as well as the necessity of long-term commitments. And here, we must commend the Government of Canada for hosting the October 2004 meeting in Ottawa.

The other initiative, recently launched by the United Nations Emergency Relief Coordinator seeks to review the capacity of global humanitarian response. This initiative originates from the concern that the international community is often unable to meet the basic needs of populations affected by emergencies and crises. We look forward to further discussion of this issue at the Inter-Agency Standing Committee Principals meeting in Geneva in December. We will bring forward the experiences of our members worldwide to this meeting. We strongly believe that response is not only the task of international actors, but it is most frequently provided at the national level and, very often, by Red Cross and Red Crescent Societies at the community level.

Community resilience, which is the theme of the Federation's 2004 World Disasters Report, should be integrated into the way that humanitarian assistance is conceived and provided. In this context, we are paying close attention to the forthcoming World Conference on Disaster Reduction, to be held in Kobe in January 2005. The International Federation of Red Cross and Red Crescent Societies (IFRC) has been invited to moderate one of the high-level round tables, where we hope to stimulate discussion on challenges, needs and opportunities in disaster risk reduction initiatives worldwide. We have accepted this opportunity and are working with the International Strategy for Disaster Reduction and all the stakeholders to prepare for that important event. We sincerely hope that the Conference will take account of the IFRC project on international disaster response, laws, rules and principles, all of the concerns of the International Decade for Natural Disaster Reduction.

Our experience shows that coordinating humanitarian assistance has become increasingly challenging. This reflects not only the complexity of the issue, but also the sharp growth in the number of stakeholders. This coordination is, of course, welcome. Accordingly, it is the reason why another of the important events of this year is so vital, namely the consideration of the recommendations contained in the Cardoso Report, which is the Report of the Panel of Eminent Persons on United Nations and Civil Society Relations. We highlight the importance of this because our role as the auxiliary to Government and the bridge to civil society has given us many insights into the urgency of this need. Without community involvement, coordinated solutions are unlikely.

Finally, the challenge for all of us is not simply to coordinate humanitarian assistance, but to make sure that this assistance reaches people like those in Grenada, and reaches them quickly, effectively and lastingly.

The President (*spoke in French*): We have heard the last speaker in the debate on agenda item 39 and its sub-items (a) and (c). I should like to inform Members that, at the request of the sponsors, action on draft resolution A/59/L.24 will be taken at a later date. The Assembly has thus concluded this stage of its consideration of agenda item 39 and its sub-items (a) and (c).

Agenda item 35 (*continued*)

Culture of peace

Notes by the Secretary-General (A/59/201 and A/59/223)

Draft resolution (A/59/L.15/Rev.1)

The President (*spoke in French*): Members will recall that the Assembly held a debate on agenda item 35 at its 41st and 42nd plenary meetings on 26 and 27 October 2004. In connection with this item, the Assembly now has before it draft resolution A/59/L.15/Rev.1.

The General Assembly will now take action on draft resolution A/59/L.15/Rev.1 entitled "Promotion of interreligious dialogue". Before we take action, I would like to indicate that, since its preparation, the following sponsors have been added to resolution A/59/L.15/Rev.1: Argentina, Bangladesh, Myanmar, Peru, Thailand and Uruguay.

May I take it that the Assembly decides to adopt resolution A/59/L.15/Rev.1.

The draft resolution was adopted (resolution 59/23).

Mr. Gatan (Philippines): My delegation is pleased to take this opportunity to thank the Assembly for the adoption by consensus of the resolution on the promotion of interreligious dialogue. I would like in particular to thank the 24 delegations that sponsored the resolution coming from all continents of the world. May I also thank the delegations that provided constructive inputs and facts for the resolution, both in form and substance, particularly the observer delegations of the Holy See, of the Organization of the Islamic Conference, the delegations of the European Union, Argentina, Switzerland, Canada and others during the consultations convened by the Philippines. This resolution is a landmark in United Nations history, opening the door of the United Nations to partnership with civil society in general and the religious sector in particular. We look forward to a fruitful interaction with faith-based organizations in the years ahead.

Mr. Smagulov (Kazakhstan): The General Assembly has just adopted a resolution that is very important in raising awareness in the international community of the need to promote interreligious dialogue. The resolution recognizes the commitment of all religions to peace and stability in the world. We thank the delegation of the Philippines for its input in the promotion of interreligious dialogue. This issue has become particularly vital in Kazakhstan, as in many other countries. We attach great importance to the promotion of religion, religious and cultural understanding, harmony and cooperation.

We also consider it important that the resolution refers to the first Congress of Leaders of World and Traditional Religions held in Astana, the capital of Kazakhstan, in September 2003. This international forum made a valuable contribution to the promotion of the culture of peace and dialogue among civilizations.

A second congress will be held in Kazakhstan in September 2006 to further address pressing political and spiritual problems. We believe that that event will be fully supported by States Members of the United Nations and by regional and non-governmental organizations.

The President (*spoke in French*): The Assembly has thus concluded this stage of its consideration of agenda item 35.

Programme of work

The President (*spoke in French*): I should like to remind members that, as of Monday, 15 November 2004, the General Assembly and its Main Committees will revert to their usual practice of holding meetings from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m.

We are almost at the end of Ramadan. I offer members my best wishes for Eid al-Fitr.

The meeting rose at 5.55 p.m.